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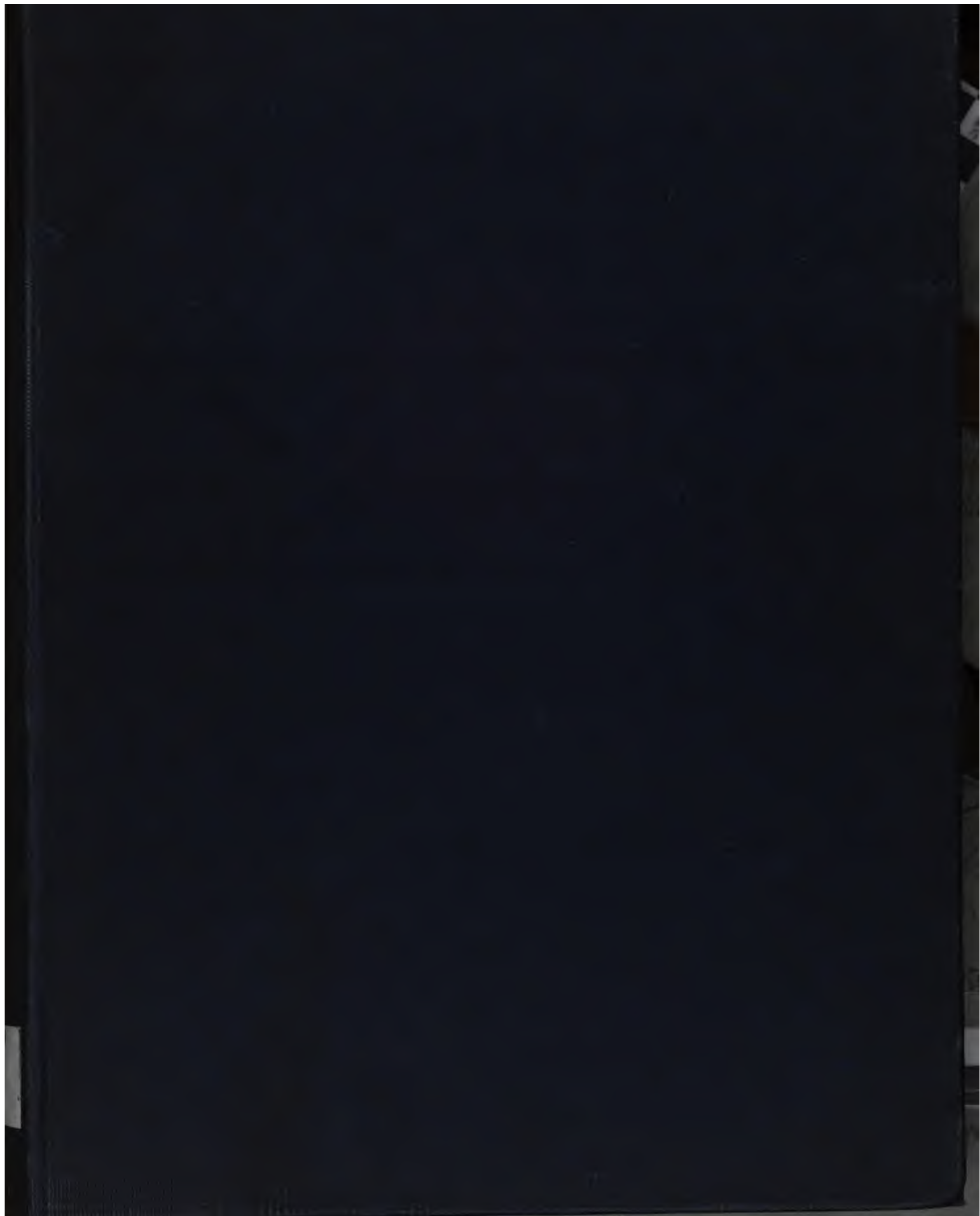
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THE KNIGHT OF THE ARMY







Filson Club Publications

NUMBER FOUR

The Life and Times
OF
Judge Caleb Wallace

SOME TIME A JUSTICE OF THE

Court of Appeals of Kentucky

By

William H. Whitsitt

for persons who have such treasures committed to their keeping. The same things are true of the Rev. Amzi L. Armstrong, of Dutch Neck, New Jersey, who is the custodian of the Minutes of New Brunswick Presbytery.

Acknowledgments are due to Rev. Samuel Davies Alexander, of New York; Miss Louisa P. Baxter and Captain J. P. Moore, both of Lexington, Virginia; R. W. Givens, Esq., of Shelby City, Kentucky; Professor Henry C. Cameron, D. D., Secretary of the Faculty, Princeton, New Jersey. Mr. Griffin C. Callahan, of Philadelphia, who is collecting materials for a work on that subject, has rendered indispensable assistance in the chapters relating to the Christian family. Among the members of the Wallace family, Hon. Henry C. Wallace, of Lexington, Missouri, has placed before me a number of original documents in manuscript; Miss Eliza Furman Wallace, of Lawtonville, South Carolina, contributed copies of letters preserved by her father, and Mrs. Elizabeth Carlyle Wallace, of Lexington, Missouri, who survives in health of body and mind at ninety-one years of age, has sent useful personal reminiscences.

The two letters to Hon. John Breckinridge were first seen in the captivating and valuable work of my friend Ethelbert D. Warfield, Esq., on "The Kentucky Resolutions of 1798." At my request he was kind enough to send me copies in full, as well as to make a search through the Breckinridge Papers to settle the question whether any other letters from Judge Wallace could be discovered in that collection.

February 24, 1888.

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Book the First.

FAMILY AND TRAINING.

1742-1770.

CHAPTER I.

HIS ANCESTORS.

Judge Caleb Wallace was descended from the clan which bears the name of Wallace in the Highlands of Scotland. In the present state of research, however, no effort will be made to trace his lineage beyond the Scottish emigrant who established this particular branch of the family in America. The name of that Scottish emigrant was Peter Wallace: in the records of the family he is spoken of as a Highland Scotchman; but it is likely that on his way to America he passed a season of greater or less length in the North of Ireland. His wife was a Scottish lady, Elizabeth Woods by her maiden name, to whom he may have been united during his sojourn in Ireland.

Peter Wallace was one of the earlier settlers of what was called "the back parts of Virginia." John Lewis, the first person to fix a permanent residence in the upper portion of the Valley of Virginia, set up his home near the present site of Staunton in the summer of the year 1732. (*Waddell, Annals of Augusta County, Virginia*, p. 12.) Two years later, in the year 1734 Peter Wallace followed in his wake. The record of his earliest appearance is supplied by the Rev. Dr. Foote in his *Sketches of Virginia*, Series 1, pp. 101, 102. He says that, "Michael Woods, from Ireland, came in the year 1734, and settled at Henderson's quarter, near Woods Gap in Albemarle. Three sons and three sons-in-law came with him and settled near. One of the sons-in-law, William Wallace, took his residence on Meckum's River in Albemarle and his descendants occupy in part the possessions of their ancestor. They were the founders of Mountain Plain Congregation."

A dearth of human nature is exhibited by this queer historical declaration. Michael Woods and his company possessed a wife too much of Scottish preference to expose themselves to the perils of Indian depredation which the settlers daily endured on the western side of the Blue Ridge. On the other hand, in the character of thorough-paced Presbyterians, they would experience a degree of disgust at beholding the "mark of the beast" somewhat too clearly displayed among the Episcopalians of Eastern Virginia. That sentiment very naturally deterred them from traveling very far in the direction of the rising

sun, and by natural consequence they decided to take the fence between the two evils at the gap in the mountains, which shortly got the name of Woods' Gap, in honor of Michael Woods, the leader of the party. The same policy was pursued by another body of Presbyterian settlers at Rockfish Gap, a few miles below Woods' Gap, in what is now known as Nelson County, and possibly at other places.

The above extract from the pages of Dr. Foote is worthy of quite careful attention. Nothing definite is related in it concerning the three sons of Michael Woods. It is possible, however, that they were married men and brought families of their own, especially as, like the three sons-in-law, they are expressly affirmed to have settled near their father's home. The supposition is presented that the three sons were the progenitors of the highly respectable family by the name of Woods which now exists in the county of Albemarle.

There is reason to believe that Peter Wallace, who married Elizabeth Woods, was a brother of the William Wallace, mentioned by Foote, whose wife was named Hannah Woods, but all traces of the relationship between their descendants have now been lost.

Three sons-in-law as well as three sons are required by the narrative recorded above. Peter and William Wallace have been pretty clearly identified as two of these sons-in-law; it now remains to inquire who was the third. It is believed that this third son-in-law was no less a person than John McDowell, the eldest son of Ephraim McDowell. John McDowell had married Magdaline Woods, who is supposed to have been the youngest daughter of the aforesaid Michael, in the State of Pennsylvania, perhaps some time during the year 1734. By consequence, when Michael Woods and his family resolved to remove to Virginia, John McDowell concluded to join his fortunes with them, and, if possible, to found a home in the new country, to which he might bring his own aged father, Ephraim McDowell, and his brothers and sisters. Thus it came about that Michael Woods enjoyed the happiness of reckoning in his frontier party not only his three sons, but likewise all three of his sons-in-law.

It will be observed that Dr. Foote declares Michael Woods to have appeared in Virginia during the year 1734. Nothing can be brought forward to disprove the correctness of that date, but it is possible that the year 1735 was the one that was intended to be written. Samuel McDowell, the eldest child of John McDowell and Magdaline Woods, was born in Pennsylvania on the 29th of October, 1735. (Paxton's Marshall Family, p. 60.) That occurrence renders it apparent that John McDowell was at home in Pennsylvania about the 29th of January, 1735. It is possible that the company of Michael Woods did not set forward from Pennsylvania before that time; on the other hand, it is also possible that the balance of the party went forward in the autumn of 1734 and left John McDowell to follow after, when his occasions might serve that end. It is even conceivable that John McDowell remained at his home in Pennsylvania until the spring months of the year 1736, and then made his way to his friends at Woods' Gap in Virginia, thus filling up the number of three sons-in-law attributed to Michael Woods. Arrived in the vicinity, John McDowell did not choose to cross the Blue Ridge and settle in Albemarle, as the balance of the family had done; on the contrary, it is reported that, fixing his camp on South River in the Valley, which runs but a few miles from Woods' Gap, he made there a crop of corn during the summer of 1736, intending as soon as it might be secured to return and fetch his father's family. (Foote, 2, 90).

An objection to this account of the occurrence appears in the circumstance that it was James McDowell who is reported to have come to South River and raised a crop of

corn during the summer of 1736. (Foote, 2, 90.) But it must be remembered that the account which Dr. Foote has made out relating to this business exhibits marks of confusion. These may be especially observed in what he states concerning the geographical connection of Lynvill Creek and Woods' Gap. Furthermore, the genealogy which Mr. Paxton has supplied of the McDowell family represents that James was the youngest child of Ephraim McDowell. His older brother, John, is said to have been born about the year 1714. It is, therefore, suspected that James McDowell was too young to have accomplished the feat of traveling several hundred miles through pathless forests that were occupied by hostile Indians, and sitting down alone in the wilderness for an entire season in order to produce a crop of corn. It is likely that he was not above twelve years of age in the year 1736; but as no account either of himself or of his descendants has been furnished, it is not admissible to present any definite assertions in this place.

The fact that the McDowells on their journey to Virginia, in the year 1737, are reported to have made their way to Woods' Gap and to have crossed the mountain there, would seem to indicate that Magdaline Woods-McDowell was solicitous to meet her father, Michael Woods, and the other relatives that she is believed to have had at that point. This fact is clearly stated in the testimony of Mrs. Mary Greenlee, as reported in Foote's Sketches, 2, 90; but it is fair to repeat that the business has been so much confused by that excellent writer that the exact conditions of the case can hardly be made out without recourse to her original deposition, as found on record among the archives at Staunton, in connection with the case of Joseph Borden against Robert and Martha Hervey. (Foote, 2, 92.)

The version which has been suggested above is further recommended by the circumstance that John McDowell is said to have emigrated a widower. (Foote, 2, 93). If he was born about the year 1714, as Paxton signifies (Marshall Family, p. 60), it is unlikely that he should have been a widower when he married Magdaline Woods in the year 1734. On the other hand, it is believed the tradition that he emigrated a widower refers to nothing else than his emigration from Pennsylvania to Virginia, in which process he left behind him his youthful wife Magdaline. During the season of 1736, when he was raising a crop of corn on South River a few miles from Woods' Gap, it may have become customary for his father-in-law and other kindred jestingly to speak of him as a widower. That circumstance may have remained in the memory of Mrs. Greenlee when she was rendering her testimony in April, 1806. Her declaration that he emigrated as a *widower* is believed to have had no other explanation.

As a further indication that John McDowell was a brother-in-law of Peter Wallace's may be mentioned the fact that in the year 1774 Caleb Wallace went all the distance from Charlotte County to Augusta to woo his first wife, who was Miss Sarah McDowell, a daughter of Samuel McDowell, the oldest son of the aforesaid John McDowell. Magdaline Woods was probably present to witness the ceremony when the grandson of her sister Elizabeth came to be united in marriage to her own granddaughter and to his second cousin. It is suspected that this marriage would hardly have occurred but for the fact that the parties to it were previously close blood relations. In a word, it seems apparent that the connection between the Wallaces and the McDowells is more important than many suppose; it was originated by the emigrants at the very beginning of the history of the two families in America.

Several incidents worthy of a measure of consideration are thought to suggest that

the Woods and Wallace families, on their way from the Highlands of Scotland, tarried awhile in the North of Ireland. It will be remembered that Dr. Foote distinctly affirms that Michael Woods was an Irishman. His wife is reported by Paxton to have been derived from the "James Campbell clan in the service of the Duke of Argyle." (Marshall Family, p. 60.) It is likely that all concerned on both sides were Highland Scotch people, who, after the fashion of so many other families, halted for a period in Ireland.

There are likewise a number of indications that both of these families passed a short season in the vicinity of Lancaster, Pa., on their way from Ireland to Virginia. But they accomplished the journey in excellent time. Their residence had been fixed in Albemarle two full years before any thing was heard of either the Beverley or of the Borden grants, which were not issued until the year 1736.

The history of the Wallace family further deposes that Peter Wallace had four children by his wife Elizabeth Woods, namely, Andrew, Adam, Samuel, and Peter Wallace. It adds that "all of them emigrated to America and settled in Virginia, in Augusta and Albemarle counties. Of the families of Adam and Peter Wallace nothing is known." Is it reasonable to conclude from the above that all four of these sons of Peter Wallace and Elizabeth Woods were born either in Scotland or in Ireland?

How may the statement relating to their residence both in Albemarle and Augusta counties be explained? The conclusion is gathered from the narrative that neither of the four sons were married when the family immigrated to Virginia in the year 1734. But in a few years the hearts of the young men would turn toward the friends whom they had left behind them on the opposite side of the mountain; they would feel very lonely in Albemarle. When the time drew near for them to contract marriage and to become the founders of families of their own, they would naturally cross the Blue Ridge and seek for homes in the Valley. Their Uncle John McDowell was a prominent resident of that portion of the country, and it may be conceived that this circumstance had a degree of attraction for them. By a process of that kind it would come about that the family of Peter Wallace became separated by distance of space, some of them residing in Albemarle and some of them in Augusta.

At the date when the Wallace records were put to paper something was still known in the family touching the fortunes of Andrew Wallace, the eldest of the four brothers, but that something has long since been forgotten. Even then all traces of Adam and Peter Wallace had passed away. It has been suggested that Andrew Wallace may have been the same as the Captain Andrew Wallace from Lexington, who commanded a company in the regular army during the war of the Revolution, and fell in the discharge of his duty at the battle of Guilford Court-house. (Foote, 2, 147.) But this Andrew Wallace would have been too far advanced in life to do duty in the field as late as the year 1781; Captain Andrew Wallace, of Guilford Court-house fame, may have been a son of his. A brother of Captain Andrew Wallace's, named Adam Wallace, who was also a captain in the regular army, died bravely fighting at Waxhaw. A third brother, Captain Hugh Wallace, died of smallpox at Philadelphia. (Foote, 2, 147.)

The name of Samuel is so frequently encountered among the Wallaces of the Valley of Virginia as to indicate that they may have been derived from Peter Wallace of Albemarle, and were called in honor of his son Samuel, the progenitor of the family in Kentucky. The first session of the County Court of Rockbridge County was held April 7, 1778, at the house of one Samuel Wallace, who may have been a son of Andrew Wallace

and a grandson of the emigrant Peter Wallace. (Waddell, p. 164.) A private letter from Mr. Andrew Wallace, of Fairfield, Virginia, under date of January 2, 1887, affirms that he is a grandson of the aforesaid Samuel, and that the family are still in possession of the ancestral estate where the earliest session of Rockbridge court was held. The will of that Samuel Wallace, of Rockbridge, was admitted to probate at Lexington on the 4th of April, 1786. By information obtained from Captain J. P. Moore, the excellent clerk of the court, it appears that he had five children, bearing the names of James, William, Andrew, Elizabeth, and Martha. Three of these, William, Andrew, and Elizabeth, might well enough have been derived from the Wallaces of Albemarle.

In the upper portion of the present limits of Augusta County is also situated a family bearing the name of Wallace, who may have descended from one of the sons of Peter Wallace of Albemarle. Mr. Joseph A. Waddell, the author of the "Annals of Augusta County," has kindly related, in a private letter under date of January 20, 1887, that a Samuel Wallace, who might have been descended from Adam or Peter Wallace, jr., died in Augusta in the year 1765, leaving behind him four children, who were called respectively, Joseph, Samuel, Janet, and Rachel. The biography of a person named William A. Wallace, who was born in Lexington, Virginia, in the year 1816, and under the title of "Big Foot Wallace" attained to distinction in the Mexican War, was published a few years ago by Mr. John C. Duval.*

*The Adventures of Big Foot Wallace, the Texas Ranger and Hunter. By John C. Duval. With portrait and engravings. Third edition. J. W. Burke & Co., Macon, Ga., 1885.

CHAPTER II.

THE CALDWELL COLONY.

The situation of the Woods and Wallace Colony, on the western edge of Albemarle, was lonely in many ways; the lack of religious privileges and opportunities was especially deplored. Their condition was brought to the attention of Hanover Presbytery at its initial session on the 3d of December, 1755, and the following entry with reference to it was recorded in the minutes:

"A petition directed to Mr. Davies and Mr. Todd from people living near the mountain in Albemarle, near Woods' Gap, was referred by them to the Presbytery, representing their destitute circumstances in the want of gospel ordinances, and requesting some supplies from us: The Presbytery therefore appoint the Rev. Samuel Davies to preach there on the second Sabbath in March next; and that Mr. Brown desire some of the people to appoint the place of meeting, to be out of the bounds of Mr. Black's congregation, at some convenient place." (Foote, 2, 44.)

The reason why the people of the community at Woods' Gap hesitated to attend upon the ministrations of the Rev. Samuel Black, who about the year 1739 had come to Virginia to be the pastor of a colony composed to a large extent of the Reids and their family connections, at Rockfish Gap, in Albemarle (now Nelson) County, may be sought in the circumstance that Mr. Black and the colony at Rockfish belonged to the so-called "Old Side," who adhered to the Synod of Philadelphia after the division that occurred in 1741, while the Woods and Wallace families adhered to the "New Side" Synod of New York. It was not until a series of years had passed by, after the organization of Hanover Presbytery, that this breach was healed, and Mr. Black ventured to ask for a seat among his brethren of the Hanover fraternity. At the time when the above minute was set down Hanover Presbytery and its constituents had no dealings with him. By consequence, the colonists at Woods' Gap, as far as possible, avoided intercourse with their neighbors at Rockfish Gap.

The influence of John McDowell, of Augusta, in attracting his nephews of the Wallace name from their place in Albemarle to the western side of the Blue Ridge, may have been decided and possibly active; but it failed to operate in the case of Samuel Wallace, the third of the sons of Peter Wallace. On the contrary, he turned his steps due southward a distance of nearly a hundred miles from his father's house, and cast in his fortunes with the Caldwell Colony on Cub Creek, in Lunenburg (now Charlotte) County.

The Cub Creek community was established by John Caldwell, a Scotch Irishman, who, like the Wallaces, is believed to have tarried a more or less lengthy period of time at Lancaster in Pennsylvania. It was composed of two sections, the one residing on Cub Creek and the other residing on Buffalo Creek, in Amelia (now Prince Edward) County. (Foote, 1, 102.) This colony was shortly followed by two others, which settled themselves at Concord and Hat Creek, in Campbell, and are supposed to have been more or less under the leadership of John Caldwell. The date of the Cub Creek and Buffalo planta-

tions is the year 1738. (Foote, 2, 50.) In anticipation of forming these plantations, John Caldwell, who it is suspected had not then quitted Lancaster, appeared before the Synod of Philadelphia on Friday, the 26th of May, 1738, to obtain religious assistance. The record of the occurrence is composed in the following terms:

"Upon the supplication of John Caldwell in behalf of himself and many families of our persuasion, who are about to settle in the back parts of Virginia, desiring that some member of the Synod may be appointed to wait on that government to solicit their favor in behalf of our interest in that place, overtured that, according to the purport of the supplication, the Synod appoint two of their number to go and wait upon the Governor and Council of Virginia with suitable instructions in order to procure the favor and countenance of the government of that province to the laying a foundation of our interest in the back parts thereof, where considerable numbers of families of our persuasion are settling." (Foote, 1, 103.)

This document firmly establishes the period when the colony of Caldwell departed from their places in Pennsylvania, inasmuch as it declares that on the 26th of May, 1738, they were "about to settle in the back parts of Virginia." The point is of interest by reason of the circumstance that in another place Dr. Foote has fixed the date "about the year 1735" (1, 102).

A more important inquiry relates to the motives which could have induced Samuel Wallace to bid adieu to the seat of the family at Woods' Gap, in Albemarle, in order to unite his destinies with the new-comers at Cub Creek. This question, however, must be left in obscurity. Possibly the Wallaces had enjoyed some kind of connection with the Caldwells in Lancaster; it is even conceivable that a blood relationship may have existed between the two families. At any rate, the influence of the Caldwells at a subsequent period is believed to have been more important than any other influence in shaping the career of Caleb Wallace, the subject of the present narrative.

In the unhappy absence of any printed history of Charlotte County, Virginia, the student of these matters is compelled to rely a good deal upon suppositions of his own. One of the streams of Charlotte County, situated in the immediate vicinity of Cub Creek, is known by the name of Wallace's Creek. Until further information shall be obtained, it will be fair to assume that the stream in question was called in honor of Samuel Wallace, and that his residence was fixed at some point upon its waters. The incident, however, deserves to be noted, that at the present time a family of the name exists in Charlotte County, who, so far as can be perceived from any facts that have come to observation, are in no way connected with the Wallaces that are here under review; it is possible that Wallace's Creek may have been christened after some of their progenitors.

Though Samuel Wallace is believed to have settled on Wallace's Creek, he is suspected to have gotten his wife from the section of the colony that was established on Buffalo Creek. At least this is conceived to be the significance of the declaration given in the Wallace records to the effect that "Samuel Wallace married Esther Baker, of Prince Edward County, Virginia." It is probable that Andrew Wallace, the second son of Samuel Wallace, also obtained his wife, Catherine Parks, in the Buffalo community; after his removal to Kentucky, the church near Stanford, to which he belonged, and which he was chiefly instrumental in planting and naming, was called Buffalo church, very likely in compliment to his wife and in memory of happy days in old Virginia.

No record has been kept relating to the date of the marriage of Samuel Wallace and

Esther Baker. It could hardly have occurred earlier than 1739, since the Caldwell Colony were not comfortably settled at Cub Creek and Buffalo very long before that time. As Caleb Wallace, the eldest child of the union, was born in 1742, the marriage could not have fallen out later than the year 1741.

Dr. Foote reports concerning the fate of the Caldwell Colony, that part of their immediate descendants went to Kentucky and another part to South Carolina, while the remainder "is found in the bounds of the first Cub Creek, which has been the fruitful parent of numerous churches colonized on her borders." (Foote, 2, 51). John Caldwell, the founder of the colony, made his way to Abbeville District in South Carolina, where one of his daughters was married to Patrick Calhoun. A son of this marriage, called in honor of the grandfather, John Caldwell Calhoun, has given to the name of Caldwell a national reputation.

Samuel Wallace and Esther Baker were blessed with four children. Of these, Caleb, the eldest, was born in 1742; Elizabeth, called, it is supposed, in honor of her grandmother, Elizabeth Woods, was born in 1745; Andrew was born on the 25th of September, 1748, and Samuel, the youngest child, at a date that has not been preserved. In the history of the family it is stated that "Samuel, the youngest son, started for Scotland when a young man, and has never been heard of since."

The father of the family, with his three remaining children and their households, came to Kentucky in the year 1782, where he died at the age of ninety-one, perhaps as late as the year 1800.

CHAPTER III.

HIS YOUTHFUL HOME.

It has been signified in the preceding chapter that Caleb Wallace was born in the year 1742; his tombstone in the graveyard at his former residence in Woodford County, Kentucky, bears the inscription: "Judge Caleb Wallace, died 1814, aged 72 years." It is a pity that so little information can be collected relating to his mother; scarcely any thing beyond her name has been retained, and among all her descendants not a single one has been called Esther in her honor. But Samuel Wallace appears to have been proud of his wife; the name of Caleb Baker, who is believed to have been her father, has often been heard in the family. Though it was previously unknown to the Wallace line, it was given by Samuel Wallace to his eldest child; Judge Wallace is suspected to have been christened Caleb Baker Wallace, but throughout life he abstained, according to the custom of the times, from wearing a middle name.

Notwithstanding that fact the full name of Caleb Baker has been carefully transmitted. Andrew Wallace, of Stanford, called his youngest son Caleb Baker Wallace, and Judge Wallace called his third son by the same name. Nothing whatever is preserved in the family relating to this Caleb Baker, but it is clear he was an important character to have produced such an impression. Dependence must be placed upon the future historian of Prince Edward County, Virginia, to shed some light upon his memory. Whatever that person shall have to relate concerning him, it is very likely in advance that he will be called to represent him as a grave ruling elder of the congregation on Buffalo Creek.

Educational facilities must have been meager in Charlotte County, Virginia, in the year 1742. It may be supposed that Caleb Wallace acquired the rudiments of learning within the bosom of his own home. Sometimes Presbyterian ministers of that age would confer incalculable advantages upon their constituents and the general public by keeping a classical academy for the education of youth. John Todd, James Waddell, James Hunt, and many others performed distinguished services in that connection. Robert Henry, the pastor of Cub Creek during the early years of Caleb, had no taste for the toils and rewards of a pedagogue. Yet it is not impossible that some Dominie or other was at hand to have charge of the instruction of the rising generation at Cub Creek. When Caleb Wallace, at the age of five and twenty, concluded to strike for a higher career, he was able to make his way through Princeton College in three years and a half from the day on which he quitted home. That feat could hardly have been performed unless he had already made a fair beginning under the parental roof. It must be conceded that perhaps nearly two years of the time in question were passed in a Grammar School at Elizabethtown, New Jersey, but his acquirements in that place enabled him to enter the Junior class at Princeton, and to take his degree in about eighteen months after doing so.

If the literary advantages of the community at Cub Creek in the period of Caleb Wallace were not extraordinary, it must yet be claimed that they enjoyed religious advantages of a very unusual order. Cub Creek was a glowing center of the highest form of Virginia Presbyterianism. A sight has already been afforded of old John Caldwell stand-

ing before the Synod of Pennsylvania to plead the cause of his colony and to lay its spiritual necessities upon the hearts of those who had power to render him assistance. The balance of the colonists were of a like stamp; they seem to have brought their church organization along with them from Pennsylvania, and it is possible they reckoned it among the best of their possessions.

Rev. James Anderson, who was instructed by the Synod of Philadelphia in the spring of 1738 to visit Governor Gooch in the interest of the Cub Creek Colony and of other Presbyterians of Virginia, it is presumed, on his return from Williamsburg, paid his respects to Caldwell and preached for the people of his community. A little later he also preached at the house of John Lewis, near Staunton. (Foote, 1, 118.) Early in the spring of 1743 appeared that seraphic spirit and marvelous preacher, Mr. William Robinson, and introduced a new epoch in the history of religious concerns in Virginia. His sojourn at Cub Creek must have been brief (Foote, 1, 126), but even in his most casual performances was exhibited the fullness of the blessing of the gospel of Christ.

In the year 1744 a visit was received from the famous John Blair, of Pennsylvania; in the autumn he was followed by John Roan; in 1745 the work was taken up by Gilbert Tennent and Samuel Finley, and in 1746 came William Tennent and Samuel Blair. These are among the foremost names of the Presbyterian Church, or of any church, but in the year 1747 they were succeeded by the greatest man of them all; the apostolical Samuel Davies then took charge of the affairs of the Presbyterians in Virginia, and in the discharge of his widely extended pastoral functions was often seen at Cub Creek. The famous preaching stand, whose site is still pointed out (Foote, 2, 52), is believed to have been erected for the accommodation of Mr. Davies.

The earliest resident pastor that the church at Cub Creek obtained was the Rev. Robert Henry, who was sent to visit them first in the autumn of 1752 (Foote, 2, 49), at which time Caleb Wallace had just turned the tenth year of his age. Henry was a native of Scotland, who had graduated at Princeton, New Jersey, in the year 1751. Immediately after his graduation he chose the Christian ministry as his calling, and, being licensed by the Synod of New York, was directed, in company with Mr. Greenman, a young gentleman who had been educated at the charge of Mr. David Brainerd (Foote, 1, 216), to make his way to Virginia. Henry received a call from Cub Creek, and remained in charge of that and the Briery church until his death on the 8th of May, 1767. He was a man of ardent piety and many sterling qualities, which, however, were a trifle defaced by certain eccentricities. His besetting sin is said to have been his disposition and capacity to excite levity by means of his humor and his droll manners. The venerable Mr. Patillo, who was intimately acquainted with Henry, said: "He required grace enough for two common men to keep him in order, and he had it." (Foote, 2, 49-52.)

Young Wallace was perhaps impressed with the realities of religious truth at the extraordinary revival that was enjoyed by Cub Creek church in the year 1756. The commencement of that movement appears to have taken place in June at the sacramental meeting, which was attended by Mr. Davies. The following account of it comes from his pen in a letter to Mr. Whitefield, under date of July 14, 1756: "About a month ago I took a journey to Mr. Henry's congregation in Lunenburg, about one hundred and twenty miles hence, to assist him in administering the Sacrament, and in thirteen days I preached eleven or twelve sermons with encouraging appearance of success. At the sacrament in that wilderness there were about two thousand hearers and about two hun-

dred communicants, and a general seriousness and attention appeared among them; a considerable number of thoughtless creatures are solicitously inquiring after religion." (Foote, 2, 49, 50.)

In another letter, written the year following and bearing date June 3, 1757, Mr. Davies further reports: "My honest friend, Mr. Henry, has had remarkable success last winter among the young people of his congregation. No less than seventeen of them were struck to the heart by one occasional evening lecture." (Foote, 2, 52.) It is possible that Wallace, then in the fifteenth year of his age, was among the converts of this important revival—but whether there was any special religious interest abroad, or the case was otherwise, it may be accepted as assured that one of the daily exercises of the household of Samuel Wallace was the repetition by his children of the Assembly's catechism; the voice of prayer was always heard in the house. It is rare that such homes as those at Cub Creek can now be found in the world.

CHAPTER IV.

SEEKING A LEARNED EDUCATION.

Caleb Wallace had already reached the age of twenty-five years when he turned aside from his pursuits in the wilderness of Virginia to strive after higher things in the way of a liberal education. The reasons for that long delay are not far to seek. There was urgent necessity for his manual labor in the work of clearing the forest and in aiding to support the family of his father. The fact that he was the eldest son operated to place a considerable burden of responsibility upon his shoulders. The scarcity of ready money was likewise keenly felt by the inhabitants of "the back parts of Virginia" in those early times. And even if he could be spared from his labors on the farm and supplied with ready money, Caleb Wallace was confronted by his lack of sufficient and suitable preparation to enter upon a course of collegiate studies. The College of New Jersey, at which he was desirous to study, distinctly provided that "None may expect to be admitted but such as, having been examined by the president and tutors, shall be found able to render Virgil and Tully's orations into English; to turn English into true and grammatical Latin; and so well acquainted with the Greek as to render any part of the four Evangelists in that language into Latin or English, and give the grammatical construction of the words."

These conditions effectually excluded Caleb Wallace at the twenty-fifth year of his age, but they did not repress in his mind an ambitious longing after the best things. The spirit of the men who founded and tended the famous "Log Colleges" was spread abroad among the Presbyterian youth of the country. The influence of the Caldwells among whom he resided may also have operated to stir up the emulation of Caleb Wallace. In the Presbyterian History of Virginia, Cub Creek is proudly designated as the "Church of the Caldwells." (Foote, 1, 495.) John and David and Robert Caldwell all appear to have been prominent elders and leaders in it. In the year 1759, a short while after Caleb is suspected to have embraced the truths of religion, the mouths of the Caldwells would be filled with the praises of their nephew, James Caldwell, who had been born in Lancaster County, Pennsylvania, whence they all had removed, and was now a graduate of New Jersey College. In the year 1761, David Caldwell, another nephew, who is supposed to have been a brother of James, likewise graduated at Princeton. (Princeton College during the Eighteenth Century. By Samuel Davies Alexander, p. 57 and p. 70.)

The subject would be brought near to Caleb Wallace by a visit that James Caldwell made to Virginia the year after his graduation. In the Northern Neck he obtained a distinguished welcome. The diary of Col. James Gordon contains the following entry relating to him: "Thursday, December 25, 1760: Went to meeting; heard Mr. Caldwell, who gave us the best sermon ever heard in these parts on Christmas day; several seemed much engaged, and more so than I have observed for some time; the text was from Matthew i, 23. . . . Monday, December 29: Went to meeting; Mr. Caldwell gave a most excellent sermon, II Timothy ii, 19. . . . Mr. C. is a great orator. Blessed be God! we have comfortable times." (Foote, 1, 365.)

It is hardly likely that James Caldwell quitted Virginia on this occasion without paying his respects to his kindred at Cub Creek. Wallace is believed to have encountered him on this journey and to have felt his enthusiasm excited by the wonderful discourses of the young man. In 1761 Mr. Caldwell was installed as pastor of the famous church in Elizabethtown, New Jersey, over which Jonathan Dickinson had once presided (Alexander, p. 57), but the impression he had produced in Virginia was so decided that in 1762 an effort seems to have been made to induce him to remove to that colony and become a member of Hanover Presbytery. (Foote, 1, 353.)

Another circumstance that excited the interest of young Wallace was the calling of his former pastor and earliest friend, the Rev. Samuel Davies, from Virginia, to be the President of the College of New Jersey; he preached his parting sermon to his affectionate friends in Virginia on the first of July, 1759. (Foote, 1, 298.) It was natural for Caleb to communicate his aspirations both to Davies and to Caldwell, but there were several years of delay before his wishes could be fulfilled. It can not now be known what kind of appeals were made to Samuel Wallace; possibly Caleb Baker, the grandfather, came forward with a pecuniary contribution, and aided thereby to earn the large share of admiration which his grandson ever accorded to his memory.

Owing to the fact that his circumstances and remote situation had not permitted him to prepare for college it was arranged that this labor should be performed at Elizabethtown, New Jersey, where was established a Grammar School that was adapted for the purpose. The guiding hand of the Rev. James Caldwell, it is believed, may be perceived in that arrangement.

On the eve of Caleb's departure from Charlotte, recourse was had to the Rev. Robert Henry, who, for a period of fifteen years, had been the pastor of Cub Creek church; according to the custom of the times Mr. Henry supplied the youthful Wallace with a letter of recommendation to carry with him on his journey. Following is a copy of that document:

"These are to certifie all Christian People to whom these Presents shall come, that I have been acquainted with Caleb Wallace, the bearer hereof since he was a Boy, and he hath always Sustained a moral Character, & is going from home Free from any publick Scandal or liable to any Church Censure known to me, and hath been a Partaker of Sealing Ordinances, and may therefore be received as a Member into any Christian Congregation or Society where Providence shall Order his Lot.

"Dated at Cub Creek in Charlotte County, Virginia, April 6th, 1767.

"ROBERT HENRY."

The above is possibly the last piece of writing of any sort that Mr. Henry ever composed; he died on the 8th of May, 1767, just one and thirty days after it was dated and delivered. (Foote, 2, 52.) It was preserved with religious care by Mr. Wallace as long as he lived, and is now in possession of the Hon. Henry C. Wallace, of Lexington, Missouri. The chirography is of interest, because it is believed to be in keeping with the character that is assigned to Mr. Henry by the historians who have recorded his deeds and virtues.

Arrived in Elizabethtown it is likely that Wallace found a home in the house of his friend, the Rev. James Caldwell, to whom he would be the bearer of kindly greetings

from the numerous kindred of that gentleman at Cub Creek. By this means he became a protege of Caldwell's for a number of years. In due time he entered the Grammar School of Elizabethtown, which at that time was presided over by Messrs. Reeve and Pemberton, and prosecuted his studies with the ardor of a person who was well convinced of the value of good learning. Only a single memorial is left behind of his connection with that worthy institution. It appears in the shape of a paper that was given by the literary society of the school, as follows :

" ELIZABETH TOWN—1768, November 2nd.

" These are to certify that Caleb Wallace is a Regular Member of our Grammar School Literary Society; and he now goes from us with a good Character, and We do hereby Recommend him to all Persons as an Agreeable Member of Society; of which the Seal hereunto affixed and our names Subscribed are a Testimony.

" Signed by Order of the Society.

[Seal.]

JOHN REMMELE, *Pres't.*

LEWIS BOUDINOT, *Cik.*"

Being introduced by so important a person as the Rev. Mr. Caldwell, the graceful young stranger from Virginia, with his tall and slender form, dark complexion, gray eyes, and dark hair, was well received in the society of the town. The following paper relating to his social connections in Elizabethtown was found among the private documents of Mr. Wallace at the time of his death in the year 1814 :

" *To all Whom it May Concern :—*

" WHEREAS, CALEB WALLACE hath been a member of the Society called *Societas Societas* in Elizabeth Town, and during his residence among Us hath behaved himself as becomes a Christian and a Useful Member of that Society; and now is about to remove from Us; and We being willing to Testify the Regard and Affection we have for him, not only on the Account of his Publick Good Character, but his Personal Merit and Worth, Have Unanimously Voted that our Clerk do Present this Publick Testimony of our Esteem and Affection to him.

" Elizabeth Town, 4 Feb'y, 1769.

" By Order of the Society.

ELISHA BOUDINOT, *Cik.*"

The name of Boudinot in the above connection is a fine guarantee that the society in which Mr. Wallace moved during his residence in Elizabethtown was as elevated as might be enjoyed anywhere in the American Colonies. Elisha Boudinot was born in Philadelphia on the 2d of May, 1740, and by consequence was a trifle less than two years older than Caleb Wallace. He studied law under the famous Richard Stockton, and, entering upon the practice of his profession in New Jersey, shortly rose to distinction. After that period his name is mentioned in connection with the most stirring and brilliant passages in the history of his country. He was a devoted Presbyterian, the first President of the American Bible Society, whose funds he augmented by princely donations, a member of the American Board of Commissioners for Foreign Missions, and of the Board of Trustees of Princeton College. His home was a seat of the most graceful hospitality, and his life was given to the highest forms of usefulness.

CHAPTER V.

PRINCETON COLLEGE DAYS.

The date of his matriculation at the College of New Jersey is uncertain. The certificate that was placed in his hands by the Literary Society of the Grammar School of Elizabethtown declares, under date of the 2d of November, 1768, that "he now goes from us with a good character." On the contrary, the certificate that was supplied by the *Societas Socialis*, under date of the 4th of February, 1769, testifies that "he is now about to remove from us." It is therefore concluded that he did not quit Elizabethtown prior to the date last mentioned. Possibly the writing of the Literary Society was given toward the close of the session of the Grammar School for the autumn of the year 1768, and it is conceivable that he was constrained to abide for a season under the roof of Mr. Caldwell until the next term in Princeton should be opened.

In those days the Commencement at Princeton commonly befell in the latter portion of the month of September, the students being required to prosecute their labors throughout the summer season. In the year 1844, however, a change was effected by which the sessions were arranged in such a fashion that the Commencement occurred in the month of June, an almost indispensable concession to the conditions of the climate in America. (Maclean, History of the College of New Jersey, 2, 310.)

From its organization up to the year 1767 the Board of Instructors of the College of New Jersey were officially designated by the title of President and Tutors. The reason of this arrangement lies in the circumstance that during the period in question there were no professors employed in the college, the labor of instruction being performed by persons who passed under the designation of tutors. It is true that in the year 1767 an effort was made toward the "establishment of a Faculty in this College," but owing to causes that it is not important to narrate in this connection the enterprise was not greatly successful. Mr. John Blair was appointed Professor of Divinity and Moral Philosophy, Mr. Hugh Williamson was named as incumbent of the chair of Mathematics and Natural Philosophy, and Mr. Jonathan Edwards, jr., was expected to have charge of students in the Languages and Logic. But the two last named never entered upon their duties, and the Rev. John Blair vacated his position on the 27th of September, 1769 (Maclean, 1, 299), a few months after Mr. Wallace had begun his course. By consequence there were no professors in the time of Wallace. The President was responsible for the entire management of the college, and this is the reason why none of the teachers except the President were required to subscribe their names to the diploma that was given to Wallace. (Maclean, 1, 310.)

The President of the College of New Jersey at this time was the Rev. John Witherspoon, a distinguished leader of the evangelical party who had come from Paisley, in Scotland, and was installed at Princeton on the 17th of August, 1768. (Maclean, 1, 300.) The senior tutor was Mr. James Thompson, who had been appointed in 1762; he went out of office in 1770, at the time when Mr. Wallace's degree was conferred. Next to

Thompson stood Mr. Joseph Periam, but he resigned his place as tutor on the 27th of September (Maclean, 1, 308), on the same day with the Rev. John Blair, Professor of Divinity and Moral Philosophy. In the room of Mr. Periam was chosen Mr. William Churchill Houston, who served the college in the character of tutor till his promotion to a professorship in 1771. Wallace did not enjoy an opportunity to become acquainted with Jonathan Edwards, jr., the son of President Edwards. Young Edwards had sent in his resignation about the 1st of January, 1769 (Maclean 1, 365); on the 5th of the same month he was ordained and became pastor of a church at Colebrook, Connecticut. (S. D. Alexander, Princeton College, During the Eighteenth Century, p. 97.) The vacancy created by Jonathan Edwards, jr., was immediately filled by Ebenezer Pemberton, one of the teachers of the Grammar School at Elizabethtown. In September, 1769, Pemberton, in his turn, left the college, and Mr. Tapping Reeve, who had been his colleague in the Grammar School at Elizabethtown, was chosen in his stead. (Maclean, 1, 365.) Mr. Reeve remained in the institution until the graduation of Wallace in 1770.

A more or less extended account of each of the gentlemen mentioned above may be read in the volume of Dr. Samuel Davies Alexander. Houston was a native of South Carolina. Pemberton, a son of Ebenezer Pemberton, one of the earliest trustees of the college, was a born teacher. He was much beloved by the students, and at his departure in 1769 young James Madison took occasion to distinguish him by a Latin oration of compliment and valediction. (Alexander, p. 100.) While he was at Elizabethtown in charge of the Grammar School he had been appointed (October, 1767), in connection with his colleague Mr. Reeve and the Rev. James Caldwell, to revise and publish a new edition of the so-called Newark Latin Grammar (Maclean, 1, 297), a work that had been composed and published many years previously by the Rev. Aaron Burr, the second President of Princeton. (Maclean 1, 165.) Pemberton kept to the business of teaching as long as he lived; Houston and Reeve later had recourse to the law, the former attaining to distinction in political life. Joseph Periam was displaced in 1769 because he had embraced the theory of Bishop Berkeley relating to the material universe, a process by which it was conceived he had become a peril to the religious faith of students who might be on intimate terms with him. (Alexander, p. 79.)

Wallace must have entered the Junior class at Princeton. A candidate for that class was required to undergo the customary examination for admission, and in addition to recite for a fortnight on trial, at the close of which time, if he was discovered to be competent, he would be permitted to proceed. (Maclean 1, 272.) Stringent exertions were sometimes made to prevent students from entering any but the Freshman class, so that all might pursue the entire curriculum, but it was never possible fully to succeed in this enterprise. (Maclean, 1, 293.)

The course of study pursued at the College of New Jersey was respectable and solid. Writing in the year 1772, Dr. Witherspoon presents the following description of it:

“The regular course of instruction is in four classes, exactly after the manner and bearing the names of the classes in English universities—*Freshman*, *Sophomore*, *Junior*, and *Senior*. In the first year they read Latin and Greek, with Roman and Grecian antiquities and rhetoric. In the second, continuing the study of languages, they learn a complete system of geography with the use of globes, the first principles of philosophy,

and the elements of mathematical knowledge. The third, though the languages are not wholly omitted, is chiefly employed in mathematics and natural philosophy, and the Senior year is employed in reading the higher classics, proceeding in the mathematics and natural philosophy, and going through a course in moral philosophy. In addition to these, the President gives lectures to the Juniors and Seniors, which consequently every student hears twice over in his course—first upon chronology and history, and afterward upon composition and criticism." (Maclean, 1, 362.)

Possibly a better idea may be obtained by a recital of the list of text-books that were made use of by each of the classes:

"*Freshman*—Greek Testament, Sallust, Lucian, Cicero, and Mair's Introduction to Latin Syntax.

"*Sophomore*—Xenophon, Cicero, Homer, Horace, Roman Antiquities, Geography, Arithmetic, English Grammar, and Composition.

"*Junior*—Algebra, Geometry, Trigonometry, Practical Geometry, Conic Sections, Natural Philosophy, English Grammar, and Composition.

"*Senior*—Natural and Moral Philosophy, Criticism, Chronology, Logic, and the Classics." (Maclean, 1, 367.)

Of the students who attended the instructions at Princeton in connection with Caleb Wallace, a number afterward became persons of distinction. President Madison, who entered the Sophomore class at about the same date on which Wallace entered the Junior class, affirms that the Senior class of the year 1769 produced eighteen candidates who were admitted to the degree of Bachelor of Arts. (Rives, *Life and Times of Madison*, 1, 18.) Their names were John Beatty, William Lawrence Blair, Joel Brevard, Mathias Burnett, William Channing, John Davenport, John Rodgers Davies, Peter Dewitt, John Henry, James Linn, John Alexander McDougal, Thomas Melville, Samuel Niles, Jesse Reed, Samuel Stanhope Smith, Elihu Thayer, William Wilcocks, and David Zublely. According to the report of the youthful Madison, John Henry was considered to be the greatest orator, and in that character received the distinction of delivering the valedictory oration at the Commencement. (Rives, 1, 19.) Mr. Henry afterward ran a highly distinguished career in the Continental Congress and as a member of the first Senate of the United States. He died as Governor of Maryland in the year 1798.

Possibly a still more important character and the best scholar of the class was the Rev. Samuel Stanhope Smith, first President of Hampden-Sidney College in Virginia, and the successor of his teacher, Dr. Witherspoon, in the office of President of the College of New Jersey.

In the class to which Mr. Wallace belonged, twenty-two were admitted to the degree of Bachelor of Arts. (Maclean, 1, 309.) The names of these have been recorded in the Princeton Catalogue as follows: Samuel Baldwin, John Blydenburg, John Campbell, Frederick Frelinghuysen, Joshua Hart, Azarias Horton, Nathaniel Irwin, Thomas McPherrin, John Cosius Ogden, Nathan Perkins, Caleb Russell, Isaac Smith, John Smith, George Smith, Robert Stewart, John Taylor, Stephen Tracy, Caleb Wallace, Mathias Williamson, Bedford Williams, James Wilson, and James Witherspoon. The most decided prominence

was obtained by Frederick Frelinghuysen, who took part in the deliberations of the Continental Congress, and was elected to be Senator of the United States from New Jersey. He was the father of Hon. Theodore Frelinghuysen, candidate for the Vice-Presidency of the United States on the ticket with Mr. Clay in 1844.

Of the class that succeeded that to which Mr. Wallace belonged, only twelve obtained the degree of Bachelor of Arts. The names of these were as follows: Gunning Bedford, John Black, Hugh Henry Brackenridge, Donald Campbell, Edmund Cheeseman, Philip Freneau, Charles McKnight, James Madison, Joseph Ross, Samuel Spring, James Taylor, and James Williamson.

The Freshman class that was contemporary with Wallace at his graduation in the autumn of 1770 was a very interesting body of men. The Catalogue of the College supplies the following names: Isaac Alexander, Moses Allen, Robert Archibald, William Bradford, Andrew Bryan, Aaron Burr, John Debow, Joseph Eckley, Israel Evans, Ebenezer Finley, Philip Vicars Fithian, James Grier, Andrew Hodge, Andrew Hunter, Robert Keith, William Linn, William Smith Livingston, George Luckey, Samuel Eusebius Maccorkle, John McMillan, Oliver Reese, and James Templeton. Of these, Mr. Bradford will be recognized as the youthful friend and correspondent of Mr. Madison. It would be a curious inquiry whether Caleb Wallace at this season ever had occasion to make any studies in the character of Aaron Burr, and whether the results of his reflections were of influence in shaping his attitude toward Col. Burr when he encountered him again at Frankfort, Kentucky, after the lapse of thirty-five years.

During the year 1769 was formed the American Whig Society, a literary organization of the College of New Jersey, which has attained to great power, and is still a flourishing corporation. A somewhat detailed history of it has been written by one of its honored members, the Rev. Prof. Henry C. Cameron, D. D. (Maclean, 1, 261.) In a private letter Dr. Cameron declares that Mr. Wallace was one of the founders of this patriotic institution. His name may be read in all the catalogues that it has published. The name of James Madison likewise appears in the catalogues as a member of the American Whig Society, and his biographer affirms that he also was "reputed to be one of the principal founders" of it. (Rives, 1, 24.) It is entirely possible that both Wallace and Madison took part in that enterprise, both of them being present on the spot at the time that it was begun.

The Commencement of the year 1770 is supposed to have been performed with the same state and ceremony that were cultivated upon other occasions of a similar character. Persons who are curious in such concerns may read a full account of the quaint exercises that were enacted at the Commencement of 1764, in the first volume of Maclean's History, pp. 268-272.

During the administration of President Witherspoon it was customary for officers and students alike to wear a college habit, after the fashion of English universities. Stringent regulations to that effect were taken in the year 1768. (Maclean, 1, 302.) In a letter written to his father, and dated Nassau Hall, July 23, 1770, Mr. Madison presents a glimpse of these habits and of Caleb Wallace, who, as a member of the Senior class, must have worn one of them. He says: "We have no news but the base conduct of the merchants of New York in breaking through their spirited resolutions not to import, a distinct account of which I suppose will be in the *Virginia Gazette* before this arrives. . . . Their letter to the merchants of Philadelphia requesting their concurrence was lately burnt by the stu-

dents of this place in the College Yard, all of them appearing in their black gowns, and the bell tolling." (Rives, 1, 24.) Mr. Madison further relates that these gowns were made of American cloth, so warmly were the fires of patriotism aglow in the year 1770.

The diploma that was conferred by the College of New Jersey upon Caleb Wallace is still preserved in his family. It is inscribed upon a bit of parchment which may be of the proportions of 9 by 12 inches, and is composed in the following words:

Praeses et Curatores
Collegii Neo-Caesariensis Omnibus et Singulis has literas lecturis
Salutem in Domino.

Notum sit quod nobis placet, auctoritate regis Diplomate commissa CALEB WALLACE, candidatum primum in Artibus Gradum, competentem Examine sufficiente praevio approbatu, Titulo graduque artium liberalium Baccalaurei adornare.

Cujus Sigillum commune Collegii Neo-Caesariensis huic Membranae affixum, Nominaque nostra subscripta Testimonium sint.

Datum Aulae Nassovicae in Nova Caesarea sexto Calendas Octobris, Anno Aerae Christi Millessimo Septingentesimo et Septuagesimo.

JNO. WITHERSPOON, <i>Praeses.</i>	
WM. FRANKLIN,	}
JACOBUS CALDWELL,	
RICH'D STOCKTON,	
JOANNES RODGERS,	
GULIELMUS LIVINGSTON,	
JEREMIAS HALSEY,	
	<i>Curatores.</i>

The name of William Franklin stands at the head of the list of trustees. He was at that period the royal Governor of the province of New Jersey, and in virtue of his office was President of the Board of Trustees. (Maclean, 1, 256.)

James Caldwell was one of the youngest members of the Board (Maclean, 1, 366); but in consideration of the fact that Wallace was derived from the Caldwell Colony in Charlotte County, Virginia, and was likewise a valued *protégé* of his own, Caldwell may have requested leave to subscribe his name next to that of Governor Franklin's. He was just returned from the Southern Colonies, whither he had gone the year before on a highly successful tour of collection in behalf of the college. (Maclean, 1, 308.) It is more than possible that he brought to young Wallace a number of letters and welcome messages from his kindred and friends at Cub Creek. The subsequent fortunes of James Caldwell were every way worthy of his character, and yet in some respects were as sad as they well could be. At the village called Connecticut Farms, in Essex County, New Jersey, his wife was deliberately shot down by a British refugee and ruffian at the Presbyterian parsonage on the 25th of June, 1780. (Guild, Chaplain Smith, and the Baptists, p. 39, note.) Two years later Mr. Caldwell himself encountered a tragic fate, which is thus described by Dr. Maclean:

"Mr. Caldwell was killed by a sentinel at Elizabethtown Point, to which place he had gone to meet and to conduct to the town a sister of one of his parishioners, who was expected from New York in a flag sloop. . . . As Mr. Caldwell was about to step on

board the sloop to return a small bundle which had been handed to him with the request that he would take it to the town, his murderer ordered him to stop, and upon his doing so the soldier presented his musket and shot him. He fell and expired immediately. He was an earnest and active patriot, as well as an able and devoted minister of the gospel. Mr. Caldwell's murderer was tried and executed." (Maclean, 1, 332, note.)

The name of Richard Stockton is the third in the list of the trustees who subscribed the diploma of Mr. Wallace. It is also one of the most famous and beloved. A graduate of Princeton in the first class that was admitted to a degree, he shortly rose to eminence at the bar. His services on behalf of the college were laborious and untiring, both at home and abroad. In 1774 he became one of the Justices of the Supreme Court of New Jersey. He also served in the Continental Congress, and was one of the signers of the Declaration of Independence. His death occurred at Princeton on the 28th of February, 1781. (Alexander, pp. 2-4.)

John Rodgers was a co-laborer of Samuel Davies, whom he accompanied on one of his journeys to Virginia, with the expectation of establishing himself in the gospel ministry there, but the plan was defeated by the opposition of the Governor's Council. In May, 1748, Rodgers quitted Virginia (Foote, 1, 166), and retired to St. George in Delaware, where he held the pastoral office for a period of years. At the time when his name was subscribed in this place he was pastor of the First Presbyterian church in the city of New York. (Maclean, 1, 365.)

William Livingston, whose name is recorded in the fifth place, was a member of the distinguished family of that name. His election to the Board took place in the year 1768. In the year 1776 he became President of the Board in virtue of his being raised to the dignity of Governor of New Jersey. (Maclean, 1, 366.)

Jeremiah Halsey, whose name is written last, graduated at Princeton in the year 1752. From 1757 to 1767 he was a tutor in the college. He became a trustee in 1770, and the present collection of diplomas were the first that he had the honor to subscribe. He is reported to have been one of the most thorough scholars that was ever educated in the institution. His death occurred in 1780. (Alexander, pp. 17, 18.)

APPENDIX I.

GENEALOGICAL NOTICES.

The authority upon which the accompanying statements relating to the origin and connections of the Wallace family are founded has been supplied in the preceding pages. It is not considered necessary to repeat it in the present record, which is merely designed to be a summary of the information there presented.

Michael Woods married a certain Miss Campbell, of the clan of James Campbell. They are supposed to have been both natives of Scotland, and a portion of their children may have been born in that country. They afterward emigrated to Ireland, and from Ireland to Pennsylvania. They had

1. A son, name unknown.
2. A son, name unknown.
3. A son, name unknown.
4. A daughter named Elizabeth, who married Peter Wallace, perhaps in Ireland.
5. A daughter named Hannah, who married William Wallace, supposed to have been a brother of the aforesaid Peter.
6. A daughter named Magdaline, who married John McDowell.

Michael Woods with his family settled at Henderson's Quarter, near Woods' Gap, Albemarle County, Virginia, in the year 1734. The Woods family, who still occupy a respectable position in Albemarle County, are supposed to be descended from the three sons of the aforesaid Michael. The descendants of William Wallace, who is declared to have established himself on Mechum's River, in the vicinity of Woods' Gap, still occupy a portion of the land that was entered by their ancestor. In the present state of information it is not possible to set down any exact account of them. Michael Woods Wallace is one of the leading men of the family.

Peter Wallace, who married Elizabeth Woods, had four sons :

1. Andrew Wallace.
2. Adam Wallace.
3. Samuel Wallace, and
4. Peter Wallace.

Andrew, Adam, and Peter Wallace are supposed to be progenitors of the Wallace families that are now established in the counties of Augusta and Rockbridge, Virginia. Samuel Wallace, on the contrary, removed to the Caldwell Colony that settled in Charlotte County, Virginia, in the year 1738. There he married Esther Baker, and they had children as follows :

1. Caleb (Baker) Wallace, born in 1742.
2. Elizabeth (Woods) Wallace, born in 1745.
3. Andrew Wallace, born September 25, 1748.
4. Samuel Wallace.

If the positions assumed in Chapter I be accepted as correct, then it becomes appropriate in this place to give some account of the descendants of John McDowell and Magdaline Woods. They had three children, as follows:

1. Samuel, born October 29, 1735, in Pennsylvania.
2. James McDowell, born 1739.
3. Martha McDowell.

Samuel McDowell married Mary McClung, January 17, 1755, in Rockbridge County, Virginia. This couple had eleven children, as follows:

1. Magdaline McDowell, born October 9, 1755; married Andrew Reid.
2. Sarah McDowell (twin), born October 9, 1755; married Caleb Wallace.
3. Maj. John McDowell, born December 7, 1757; married first his cousin Sarah, daughter of James McDowell; and second, Lucy Legrand.
4. Col. James McDowell, born April 23, 1760; married Polly Lyle, and settled near Lexington, Ky.
5. Judge William McDowell, born in Rockbridge, Va., March 9, 1762; married Margaret Madison, and settled at Bowling Green, Ky.
6. Samuel McDowell, born in Virginia, March 8, 1764; married his relative Ann Irvin.
7. Martha McDowell, born June 30, 1766; married Col. Abram Buford, October 4, 1788.
8. Col. Joseph McDowell, of Danville, Ky.; born September 13, 1768; married Sarah Irvin.
9. Dr. Ephraim McDowell, the distinguished surgeon; born November 11, 1771; married Sarah Shelby, daughter of Governor Isaac Shelby.
10. Mary McDowell, born in Virginia, January 11, 1772; married Alexander Keith Marshall in 1794.
11. Caleb Wallace McDowell, born April 17, 1774; married his cousin Betsy, daughter of Maj. Joseph McDowell.

James McDowell, the second son and child of John and Magdaline McDowell, married Elizabeth Cloyd. This couple had three children:

1. Sarah McDowell; married Maj. John McDowell, the eldest son of Samuel McDowell, preceding.
2. Elizabeth McDowell; married David McGavock, son of James McGavock and Mary Cloud.
3. Col. James McDowell, of Virginia; married Sarah Preston, daughter of Col. William Preston, son of John Preston, emigrant.

The above-named James McDowell, who married Elizabeth Cloyd, died in the year 1772, when he was thirty-three years of age.

Martha McDowell, the daughter of John McDowell and Magdaline McDowell, married Col. George Moffet. This couple had eight children:

1. Margaret Moffet, a celebrated beauty; married Gen. Joseph McDowell, of North Carolina.
2. James McDowell Moffet; married Hannah Miller.
3. George Moffet; married Miss Gilkeson.
4. William Moffet; married first a McChesney, and second a Jones.
5. Mary Moffet; married first Dr. Joseph McDowell; and second, Col. John Carson, of North Carolina.

6. Magdaline Moffet; married James Cochran.
7. Martha Moffet; married Capt. Robert Kirk, of the United States Army.
8. Elizabeth Moffet; married James Miller.

The above record of the McDowell family is derived from Paxton's Marshall Family, pp. 60-64 and p. 68. A more satisfactory account of the family of Sarah McDowell and Col. George Moffet is given in Peyton's History of Augusta County, Virginia, pp. 302, 303. It may be added that after the death of John McDowell at the hands of the Indians in December, 1743, Magdaline Woods McDowell married as her second husband Benjamin Borden, a son of Benjamin Borden the first, and the heir of Borden's grant in Rockbridge County, Virginia. They had two daughters, one of whom died unmarried, and the other, named Martha, married Robert Hervey. (Foote, 2, 92.) After the death of Benjamin Borden in the year 1753, Magdaline married a third husband in the person of Col. John Bowyer. (Foote, 3, 92.) Col. Bowyer was the first Justice of Rockbridge County, Virginia. (Waddell, p. 164.)

Book the Second.

IN THE PRESBYTERIAN MINISTRY.

1770-1782.

CHAPTER I.

ENTERS THE CHRISTIAN MINISTRY.

A religious revival was experienced at Princeton in the year 1770, shortly before the date of the Commencement at which Caleb Wallace was declared a graduate. Another of larger importance marked the year 1772. (Maclean, 1, 389, 390.) The effect of this excitement upon the students was decided. Inasmuch as the College of New Jersey was a "New Side" institution, it was to be anticipated that the influence of the place would favor this unaccustomed degree of interest. But the attitude of Dr. Witherspoon was somewhat in dispute. Though he had been the leader of the Evangelical Party in the Scottish Church, he was not quite prepared to commend all that he beheld on this side of the water. Certain words of caution that he is believed to have uttered were misinterpreted, and the students became separated into two parties. One of these parties, which had the youthful Aaron Burr for its prominent spokesman (Maclean, 1, 390), represented the advocates and promoters of the revival to be fanatics, while these in their turn questioned the piety of those who opposed the revival.

There was but one course open to a Virginia Presbyterian and a disciple of the saintly Samuel Davies. Mr. Wallace took a stand in favor of the revival, and it is possible that the temporary excitement of that struggle induced him to proceed farther than he had previously intended to travel. Maclean affirms that "the fruits of these religious awakenings were most happy, as they gave to the church not a few of her ablest ministers and elders." Among the former was Caleb Wallace, who there is no reason to believe had ever contemplated the propriety of taking the step which he now performed. It might easily be suspected that the agency of the Rev. James Caldwell, of Elizabethtown, was freely brought to bear in this emergency.

His decision to labor in the Christian ministry having been accomplished already before his graduation, he immediately set about the task of preparing for his new functions. A year was employed in the study of theology. It is possible that Dr. Witherspoon, the President of the College, was his teacher in that discipline. It has already

been signified that Dr. John Blair, who had previously occupied the position of theological professor at Princeton, had resigned at the Commencement of the year 1769, and that Witherspoon had been chosen to act in his stead. (Maclean, 1, 305.) On the other hand, when one considers the intimate relations that had long subsisted between Mr. Wallace and Mr. Caldwell, of Elizabethtown, it might reasonably be concluded that he pursued his theological preparations under the direction of that gentleman.

On the 9th of October, 1771, Caleb Wallace presented himself for admission at the door of the famous Presbytery of New Brunswick. Dr. Foote (2, 105) declares that he was connected with the Presbytery of Newcastle, but it is beyond question that he committed an error at that point. Mr. Hugh Blair Grigsby has unhappily followed him in that blunder in the sketch that he supplied of Wallace, which is now preserved in manuscript by the library of Washington and Lee University at Lexington, Virginia. The first entry that was made by the Presbytery of New Brunswick with reference to the new applicant is still preserved in the records of that body:

"Mr. Caleb Wallace, a graduate of New Jersey College, offered himself to the Presbytery in order to enter upon Tryalls as a Candidate for the Gospel Ministry; and the Presbytery having examined him as to his Acquaintance with experimental Piety and his Views and Intentions in desiring to enter upon this sacred work, think fit to receive him, and to appoint him as parts of Tryal to compose a Sermon on Romans 3, 24, and an Exegesis on this Question, viz: 'An Jesus Christus, Filius Dei, Patri sit Equalis?' to be delivered at our next Spring Presbytery."

It is likely that Wallace continued his theological studies during the winter of 1771-'72, while he was undergoing his *Tryalls* at the hands of the Presbytery. In case he was laboring under the direction of Dr. Witherspoon, he was joined by his friend, the youthful James Madison, of Virginia, who remained a year as a private student at Princeton after his graduation on the 25th of September, 1771. (Rives, 1, 26.) Though it is not claimed that Madison contemplated service in the Christian pulpit, it is nevertheless believed that theological subjects engaged his attention to no small extent during this period when he was under the direct tutelage of Witherspoon. So well was that circumstance understood, that in the year 1777 he was appealed to by the Rev. Samuel Stanhope Smith for criticism and suggestions relating to a lengthy discussion of the tenets of liberty and necessity, which that profound divine had the honor to lay before him. (Rives, 1, 185-8.) It is also affirmed that the excellent William Bradford, the intimate and correspondent of Mr. Madison, imitated his example by likewise remaining a year at Princeton after his graduation in 1772, for the purpose of studying theology under Dr. Witherspoon. (Alexander, 1, 148.)

In the spring of 1772 Mr. Wallace kept his engagement with the Presbytery of New Brunswick. The following entry relating to the occurrence is found upon the records:

"Trenton, April 15th, 1772, Mr. Wallace was examined as to his skill in the learned Languages, the Liberal Arts, and also in Divinity, in all which he gave the Presbytery competent satisfaction. He also produced an Exegesis on this question, viz: 'An Jesus Christus, Filius Dei, Patri Equalis sit?' and also a Sermon on Romans 3, 24, both of which

were highly approved. The Presbytery do therefore appoint him to prepare a Popular Sermon on Romans 12, 2, to be delivered at Philadelphia during the Session of the Synod in May next."

The third entry in this business is composed in the following terms:

"Philadelphia, 28th May, 1772. According to an appointment made at our last Presbytery, Mr. Wallace delivered a Popular Sermon on Romans 12, 2, which was approved and accepted as his last piece of Trial in order to his being received. He also adopted the Westminster Confession of Faith, the Larger and Shorter Catechism, and the Directory for Worship and Discipline, and promised Subjection to his brethren in the Lord. The Presbytery considered that they had received competent Satisfaction respecting his skill in the Learned Languages, the Liberal Arts and Sciences, and in Divinity, and also his acquaintance with vital piety; unanimously Licensed him to preach as a candidate for the Gospel Ministry, and cheerfully recommend him to the acceptance of the churches in that character."

It is hardly possible from the notices that remain on record to describe with certainty the nature of the relations which existed between Mr. Wallace and Mr. Madison at this period of their lives. There was about nine years of difference between their ages, Wallace being born sometime during the first three months of the year 1742, and Madison on the 16th of March, 1751. This lengthy interval was not favorable to the closest intimacy, although it would not actually have forbidden it.

The name of Wallace appears more than once in the early correspondence of Madison. After the return of the latter to his Orange home in the autumn of the year 1772 he sometimes engaged Wallace to execute a commission for him at the North. With reference to one of these he remarks in a letter to William Bradford, jr., under date of September 6, 1773: "If Mr. Horton is in Philadelphia, give him my best thanks for his kindness in assisting Mr. Wallace to do some business for ——— not long ago." (Madison's Works, published by order of Congress, New York, R. Worthington, 1884, vol. 1, p. 9)

While Wallace was sojourning in the colonies of North Carolina and Georgia, during the autumn and winter of 1773-'74, it became necessary for William Bradford, jr., of Philadelphia, to address him a letter upon some occasion which has not been recorded. The letter in question was sent under cover to Mr. Madison, for the reason that Bradford supposed Wallace was at the moment in Virginia. Replying to the favor of Bradford on the 24th of January, 1774, Mr. Madison reports: "Your letter to Wallace is yet in my hands, and shall be forwarded to him as soon as possible. I hear nothing from him by letter or fame." (Madison's Works, vol. 1, p. 13.)

From the above it is considered more than likely that letters sometimes passed between Wallace and Madison; but as they possibly related chiefly to minor concerns of business, it was not deemed important to preserve them.

CHAPTER II.

LABORS AS A LICENSED MINISTER.

Mr. Wallace is believed to have begun his studies in theology about the 1st of October, 1770. His license to preach was dated nearly twenty months later, on the 28th of May, 1772. He sustained the character of a Licentiate almost two years and a half, having been ordained on the 13th of October, 1774.

Immediately after his licensure he commenced to preach wherever occasion might serve. One of his earliest engagements was at the famous Neshaminy church, where William Tennent had builded the "Log College." The occasion of his going there still retains a degree of interest. The Rev. Charles Beatty, pastor of the church at Neshaminy, was a devoted and active friend of the College of New Jersey. At the session of the Board of Trustees on the 11th of March, 1772, it was thought that there were "encouraging prospects of obtaining benefactions for the institution in Barbadoes and other of the Windward Islands. It was therefore resolved to send an agent to collect these funds, and to desire the Rev. Charles Beatty to undertake the service. Mr. Beatty according to appointment went to Barbadoes, where he died on the 13th of August, before he made any collections for the College." (Maclean, 1, 314, 315.)

In the interest of Mr. Wallace the following entry appears on the minutes of New Brunswick Presbytery: "Maidenhead, October 14, 1772, Mr. Wallace informed the Presbytery that in consequence of Mr. Beatty's Mission to the West Indies in the Service of the Trustees of the College of New Jersey, he had supplied the Pulpit at Neshaminy, by appointment of the Presbytery, four Sabbaths. The Clerk is therefore ordered to certify this to the College Treasurer, that he may be rewarded by him for his services according to an Order of the Board of Trustees for that purpose. Mr. Wallace is appointed to supply at Amwell as often as his circumstances will permit till next Spring Presbytery."

It is supposed that his exertions were employed at Amwell, according to the commands of the Presbytery, during the winter of 1772-'73. In the spring of 1773 a call was sent up from the Southern Colonies that attracted his attention. The earliest account of that call is given in the following entry on the minutes of the Synod of New York and Philadelphia:

"Applications were presented to the Synod of New York and Philadelphia, May 19, 1773, from the Haw Fields and Eno in North Carolina and from St. Paul's Parish in Georgia. In answer to which the Synod appoint Mr. John Simpson and Mr. Caleb Wallace, Candidates, to supply in the former places as much as they conveniently can before next Synod. And Mr. Wallace from thence to visit St. Paul's Parish in Georgia and preach there some time, and the remainder of their time in other vacancies in the Southern Provinces. A true Copy, extracted from the Minutes of Synod. Test.

"JAMES SPROUTT, *Syn'd Clerk.*"

Nine days later befell the meeting of New Brunswick Presbytery, to which Mr. Wallace belonged, and the following notice was there taken of his project to do service in the Southern Colonies:

"May 28, 1773. Whereas, Mr. Caleb Wallace has signified his desire of traveling into the Southern Colonies, *particularly into Virginia*, therefore the Presbytery order the Clerk to furnish him with proper testimonials previous to his journey."

In obedience to the instructions he had received, the Clerk of the Presbytery placed in the hands of Mr. Wallace the accompanying certificate:

"Philadelphia, May 28, 1773. These are to certify all whom it may concern that the bearer, Mr. Caleb Wallace, was on the 28th of May, 1772, licensed by the Presbytery of New Brunswick to preach as a candidate for the Gospel ministry, and that he has ever since behaved himself in a manner agreeable to that character; and whereas he has signified to the Presbytery his desire to visit the Southern Provinces, where he may probably settle, and in order hereto has requested a dismissal from us and recommendation to the churches and brethren in those parts, the Presbytery agreed accordingly to dismiss him from their care, and do hereby cheerfully recommend him to the acceptance and encouragement of the churches and brethren in those parts as a young gentleman who is likely to be eminently useful in the sacred ministry wherever God may cast his lot.

"Signed by order of Presbytery.

JER. HALSEY, *Pby. Clk.*"

Armed with the above document, and likewise with a copy of the license that had been issued to him by the Presbytery of New Brunswick on the 28th of May, 1772, Mr. Wallace joined Mr. John Simpson in the proposed journey to North Carolina and Georgia. His traveling companion and fellow-helper in the sacred office was a graduate of the College of New Jersey in the class for 1763. Mr. Alexander supplies an account of him in his excellent work on "Princeton College During the Eighteenth Century," p. 88:

"John Simpson, a native of New Jersey, was licensed by the Presbytery of New Brunswick in 1770, and for the two following years he preached at Easton, Pennsylvania. In 1773 he was appointed by the Synod of New York and Pennsylvania to visit Virginia and North Carolina. He spent seven months in this missionary work, and in 1774 was ordained and settled as pastor of Fishing Creek church in South Carolina. Until the stormy times of the Revolution his life was peaceful and uneventful, except a little stir occasioned by his introducing Watts' Psalms and Hymns into his congregation; but these troubles gradually subsided.

"Mr. Simpson was a bold and ardent advocate of independence, and was in many conflicts and skirmishes, in some of which he was regarded as a leader and adviser. He had many narrow escapes, and in the course of the war his house, his library, his sermons, and indeed all that he possessed were destroyed by the enemy. After the war he gathered his scattered flock, and for ten years preached to them the Word; but from the removal of families he was obliged at last to seek another home. In 1790 Mr. Simpson became pas-

tor of Roberts and Good Hope congregations in Pendleton County, South Carolina. In 1802 his churches were visited by a most remarkable revival. Mr. Simpson continued his labors here until his death, which occurred February 15, 1808."

It is apparent that Mr. Wallace had his thoughts much more firmly set upon the Colony of Virginia than was the case with Mr. Simpson. The latter, as a native of New Jersey, would have no stronger ties to attach him to one than to another of the Southern Colonies. But already, in his application to the Presbytery of New Brunswick on the 28th of May, Wallace had signified his desire of traveling into the Southern Colonies, "*particularly into Virginia.*" It is every way likely, however, that the two preachers observed the command that had been laid upon them by the Synod of New York and Philadelphia to visit in company the Haw Fields and Eno, in Orange County, North Carolina, and that Mr. Wallace should extend his journey to St. Paul's Parish, in Georgia. Setting forward sometime in the month of June, 1773, there is every reason to presume that the two missionaries traveled by the way of Virginia. Arrived in the Valley of Virginia, Mr. Wallace would experience a warm reception at the hands of his numerous relatives of his own and of the McDowell name within the limits of Augusta County. Going still farther toward the South, he next came to the home of his birth and youth, on Cub Creek, in Charlotte County. Here he must have appeared somewhat in the light of a hero. It was six years since he had quitted the place, and now he returned with a diploma of the College of New Jersey in his portfolio, and with the standing and influence that belonged to a minister of the Presbyterian Church.

Cub Creek church had been deprived of its minister by the death of Robert Henry on the 8th of May, 1767, and with the exception of the employment of David Rice for one fourth of his time in 1771 it had been vacant ever since. (Foote, 2, 80.) Possibly some kind of private correspondence had passed between Mr. Wallace and certain influential members of that fraternity with a view to supply that vacancy. At any rate, when Wallace appeared upon the ground, the idea of extending a call to him would be readily suggested. It is more than likely that he preached for the congregation, and that they were pleased with his gifts. Samuel Wallace and his good wife Esther would be particularly grateful that the Lord had bestowed upon them a son of so much power and promise. If Caleb Baker was still alive, he would also take pleasure in his brilliant namesake.

The above was almost certainly the state of feeling in the community when Caleb Wallace turned away from Cub Creek to resume his journey southward. There would be numerous injunctions laid upon him to the effect that he should omit to assume any engagements that should fix his residence in either of the colonies mentioned. It was the urgent desire of his own people to retain his services. No influence would be more effective to convince his judgment and to decide his action than that of Sarah McDowell, a fair cousin of eighteen years, whom he had encountered at her home in Augusta County, although it is more than probable that nothing was said in public relating to her wishes and preferences.

Accordingly, when the famous Presbytery of Hanover was convened at Rockfish Gap in its next session, another and a decisive step was taken in the business. Under date of October 14, 1773, it is recorded that "calls were presented for the services of Mr. Caleb Wallace, *who was absent*, and lodged in the hands of the Clerk for Mr. Wallace's consid-

eration." The facts of the case would now be speedily communicated to Mr. Wallace in North Carolina or in Georgia, where he chanced at the moment to be engaged, and he gladly made arrangements to act in accordance with them.

It is suspected that he returned from Georgia in the early spring of the year 1774. When the Hanover Presbytery met at Tinkling Spring church on the 14th of April, 1774, it is said that "Mr. C. Wallace, a probationer from New Brunswick Presbytery, preached from Lu. 13, 24, and calls from Cub Creek and Little Falling River churches were placed in his hands." If the lists of persons whose names were appended to these two calls had been preserved, they would afford interesting reflections at the present time.

The reader is already sufficiently acquainted with the origin and history of the church at Cub Creek. The church at Little Falling River is not so well known. Very few references are made to it in Dr. Foote's Sketches of the Presbyterian Church in Virginia. I am indebted to the kindness of my excellent friend, the Hon. William Wirt Henry, of Richmond, Virginia, for accurate information with regard to it. In a private letter dated January 22, 1887, Mr. Henry says:

"As to Falling River church, I doubt not it is a church about twelve miles northwest of Cub Creek, and just over the Campbell County line. Red Hill, where my grandfather (Patrick Henry) was buried, is divided by the county line of Charlotte and Campbell, and I was born and raised there. A church about two miles from the dwelling was standing when I was a boy, called 'Falling Meeting House.' It was then used by the Baptists, but I am under the impression it was a free church, and that different denominations had a right to use it. I believe it was one of the preaching places of the Rev. John Weatherford, who before the Revolution was confined in Chesterfield jail for preaching the gospel, and was liberated through the exertions of Patrick Henry."

Having accepted the pastoral charge of the two churches in question, it was now in order that Mr. Wallace should be ordained to the full work and responsibilities of the ministry of religion. That solemnity was performed at a regular meeting of the Hanover Presbytery with Cub Creek church. Dr. Foote (2, 105) reports that Mr. David Rice presided and preached the sermon on the occasion, and that the Rev. Samuel Leake gave the charge. The precise date of the ordination was the 13th of October, 1774. The exact place where it occurred was the house of Ruling Elder Robert Caldwell. There were present the Rev. Messrs. Rice, Leake, Irvin, and Wallace, and Ruling Elders Thomas Montgomery, Robert Mitchell, and Robert Caldwell. (Foote, 1, 320.)

No mention being made in this connection of Ruling Elder John Caldwell, it is supposed that he had previously removed his residence to the Caldwell settlement in Abbeville District, S. C. Owing to that removal the church at Cub Creek was temporarily weakened, so that it was necessary to ask the congregation at Little Falling River to unite with them in settling a pastor. Robert Caldwell, in whose house Caleb Wallace was ordained, may have been a brother, a nephew, or a son of the aforesaid John Caldwell.

CHAPTER III.

FIRST MARRIAGE OF MR. WALLACE.

The record that relates to the residence of Caleb Wallace in the southern portion of Georgia during the winter of 1773-'74 had been well-nigh effaced. The fact was recovered almost by accident, and but for trivial notices it could not have been perceived. But it will hardly ever be effaced from the history and fortunes of the family. Mr. Wallace must have been delighted with the reception he obtained in St. Paul's Parish. Evidently he conceived a high opinion of the people he encountered there. Possibly he crossed the Savannah River and sometimes officiated in Beaufort District, South Carolina. The memory of his experiences remained very lively. It would often be remarked upon in the circle of his friends.

Finally, after the lapse of thirty years, his eldest son, Samuel McDowell Wallace, having attained to man's estate, was looking about for the purpose of choosing a partner and beginning a career in life. At his father's suggestion, as is confidently suspected, he was induced to turn his steps toward the southern portion of Georgia and of South Carolina in the year 1804. It is conceivable that Judge Wallace also provided him with letters of recommendation to certain of the friends whose acquaintance he had enjoyed in that region. There in Beaufort District, South Carolina, he shortly found the object of his search in the person of a most excellent lady by the name of Maner, and established a family. Not long afterward he was followed by his brother, Dr. Caleb Baker Wallace, the third son of Judge Wallace, who died unmarried in Beaufort District in the year 1811. Still another brother, John Wallace, made his home in Beaufort, where in his turn he married a Miss Morgandollar, and left ten children. Important results flow from small causes. The visit of Mr. Wallace to Georgia and South Carolina in the winter of 1773-'74 availed to fix a branch of his house in that part of the world for generations to come.

But Caleb Wallace himself had no thought of contracting a matrimonial alliance in Beaufort District. His affections had been too deeply engaged in Augusta County, Virginia. When the set time had been accomplished he was glad to lay his journey in that direction. It is believed that he arrived in Virginia during the month of March, 1774, and shortly afterward celebrated his nuptials with his cousin, Sarah McDowell. The precise date of this marriage can not be recovered, but it is indicated with sufficient closeness by an interesting event in the family of Samuel McDowell, the father of the bride. His youngest son and child was born on the 17th of April, 1774 (Paxton's *Marshall Family*, p. 62), and he elected to call him by the name of Caleb, it is believed, in honor of his new son-in-law. It is likely that the full name of this child was Caleb Wallace McDowell, although neither Paxton nor Sullivant have set down the middle name.

The marriage was necessarily performed by a clergyman of the Established Church, but no tradition has been preserved relating to the name of the clergyman nor to the distance of space which it was required to traverse in order to obtain his services in the

Valley of Virginia. It may be suggested that immediately after the ceremony was concluded the new couple took their wedding journey on horseback to attend the session of Hanover Presbytery that took place at Tinkling Spring church, a few miles southeast of Staunton, on the 13th of April, 1774. The young wife would be duly proud to see her husband there received as a member of that historic organization. She would listen with attention to the discourse that he delivered from Luke 13, 24, and rejoice when he accepted the calls that had been waiting for him from Cub Creek and Little Felling River churches.

The reception which Mr. Wallace obtained in the McDowell family must have been exceptionally cordial. It was likely grateful to the feelings of Samuel McDowell that the two families should once more be bound together by ties of wedlock. The joy of the now venerable grandmother, Magdaline Woods, would also be a pleasant thing to witness. The name of Caleb Wallace has held its place very well among the McDowells. For example, Joseph McDowell, the fifth son of Samuel McDowell, appears to have named one of his children in honor of him (Sullivant, *Family Memorial*, p. 312), and Dr. Ephraim McDowell named another that way. (Sullivant, p. 317.) It is not known whether it was the son of John or of Dr. Ephraim McDowell whose epitaph has been preserved by Paxton from a tombstone that he found in the cemetery at Danville, Ky. It reads: "Caleb W. McDowell, born April 24, 1811; died October 2, 1840." (Paxton, p. 68.)

Magdaline McDowell, the twin sister of the aforesaid Sarah, married Andrew Reid, of Rockfish Gap, but the date of this union is not recorded either by Sullivant or by Paxton. It would be interesting if it occurred at the same time as the marriage of Mr. Wallace. The latter took his young bride (she was born on the 9th of October, 1755) to his home in Charlotte. Shortly after his settlement there, as has been shown above, he was ordained to the ministry. On the 5th of December, 1774, there was recorded at Charlotte C. H. a deed for two hundred and forty acres of land situated on the north side of Louse Creek, which Edmund Brewer and Robert Caldwell had conveyed to him. The happiness of the wedded pair in their new home was of brief continuance. In a letter that he wrote on the 8th of April, 1777, Mr. Wallace intimates that he had been already some time in a condition of widowhood. It is possible that Mrs. Wallace had died in childbirth during the year 1775 or the beginning of 1776. She left him without living issue.

At the date of his marriage in April, 1774, there was a child of two years and five months in the house of his father-in-law who was destined to attain to distinction in every quarter of the world. Ephraim McDowell, the famous surgeon, was born November 11, 1771. One may question whether Mr. Wallace could see in the child that he must have caressed on his knee the future inventor of the operation for ovariectomy.

Another child within the limits of the connection was destined to win a name that should be a sweet-smelling savor in many lands. On the 17th of April, 1772, was born Archibald Alexander, a nephew of Andrew Reid, the brother-in-law of Mr. Wallace. Streams of power and influence often spring up at our feet without our being sensible of the existence of any thing extraordinary.

CHAPTER IV.

EARLIEST NOTES OF THE STRUGGLE FOR RELIGIOUS FREEDOM.

At the date of the marriage of Mr. Wallace in April, 1774, sounds of the approaching revolutionary conflict were already rife in the land. In Virginia the Legislative Assembly, of which his father-in-law was a member (Waddell, p. 36), was in conflict with the Provincial Governor Dunmore. He dissolved them in much anger, and the members went back to their several counties to call the people together in a service of "fasting, humiliation, and prayer, to implore Heaven to avert from them the evils of civil war, to inspire them with firmness in support of their rights, and to turn the hearts of the King and Parliament to moderation and justice." The 1st of June, 1774, was the day appointed, and it was observed with devoutness of temper in all directions. It is fair to presume that the congregation of Cub Creek were assembled on the occasion and followed with attention and respect the words of their new pastor, who by position, sentiment, and education was an ardent patriot.

Col. William Wirt Henry, a recognized authority in questions of Virginia history, suggests that Wallace was likely a member of the Committee of Safety for Charlotte County, and adds: "I am inclined to think that he wrote the instructions that were presented by that committee in the spring of 1776 to the delegates to the approaching Convention, directing them to vote for independence. It was the earliest paper of the sort in Virginia, so far as I am informed. It is splendidly written, and has some internal marks of being composed by a minister of religion. I know of no other person then living in the county who was capable of writing it, except one of the delegates instructed, and I hardly suppose he would have done it. The paper is printed in Force's American Archives."

The struggle for religious freedom in Virginia was almost as active as the struggle for civil freedom, and in that Mr. Wallace also took a conspicuous part. A Bill "for Extending the Benefit of the Act of Toleration to his Majesty's Subjects Dissenting from the Church of England in the Colony of Virginia" was pending before the Provincial Assembly. It had been discussed by the Presbytery of Hanover at its session at Rockfish Gap on the 15th of October, 1773, while Wallace was engaged on his mission to Georgia; but it is not easy to make out what was the precise attitude which the body saw fit to take with relation to it. The record says:

"Presbytery took the Bill of Toleration into consideration, and judge it expedient that some two persons do attend the Assembly as Commissioners of the Presbytery to transact that affair in their name and behalf. The Presbytery do therefore appoint the Rev. John Todd and Capt. John Morton, a ruling elder, to attend the Assembly on that

business, and wish they may not fail in business of that importance. The Presbytery do trust the matter entirely to them, to act as their prudence may direct and the nature of the case may require. And they do also order that a paper now before them may be transmitted to Capt. Morton as what contains their thoughts on this subject, that from it these gentlemen may take such hints or make such use as they find expedient." (Foote, 1, 320.)

Unhappily the above paper has not been transmitted to us, and hence the sentiments entertained by the Presbytery in October, 1773, must be left in a measure to conjecture. But if by any possibility they were willing to accept a form of restricted toleration in the autumn of 1773, it was not long before their sentiments had progressed beyond that point. When Caleb Wallace was ordained at Cub Creek in October, 1774, the topic was again brought forward, and, perceiving renewed occasion to feel apprehensive of legislative action on the subject of religious privileges, Presbytery "agreed to meet on the second Wednesday of November next at the house of Col. William Cabell, of Amherst, to remonstrate against a bill entitled 'A Bill for Extending the Benefit of the Act of Toleration,' etc." (Foote, 1, 320, 321.)

With the exception of the fact that on the first day of the meeting Hampden Sidney College was founded, the records of the above session of Presbytery were supposed to be lost, until within a comparatively recent period Col. William W. Henry came upon the Petition that they composed and presented to the House of Burgesses. It was discovered during the progress of Mr. Henry's researches in the Archives of the State, and the important manuscript was produced for the first time in printed form by the Central Presbyterian of Richmond, in its issue for the 16th of May, 1888. At the close of his excellent letter of introduction and explanation Mr. Henry remarks, "I will add that it is probable that Rev. Caleb Wallace, who wrote the memorial of 1776, also wrote this paper." No positive certainty can now be attained with reference to the latter point of inquiry, but the matter is sufficiently connected with the name of Wallace to justify the insertion of the full text of the document in this place:

"To the Honorable the Speaker and the Gentlemen of the House of Burgesses:

"The Petition of the Presbytery of Hanover, in behalf of themselves and all the Presbyterians in Virginia in particular, and all Protestant Dissenters in general, humbly sheweth, That upon application made by the Rev. Mr. James Anderson in behalf of the Synod of Philadelphia, the honorable Governor Gooch, with the advice of the Council, did in the year 1738, or about that time, for the encouragement of all Presbyterians who might incline to settle in the colony, grant an instrument of writing under the seal of the colony, containing the most ample assurances that they should enjoy the full and free exercise of their religion, and all the other privileges of good subjects. Relying upon this express stipulation, as well as upon the justice and catholic spirit of the whole legislative body, several thousand families of Presbyterians have removed from the Northern Provinces into the frontiers of this colony, exposed themselves to a cruel and savage enemy, and all the other toils and dangers of settling a new country, and soon became a barrier to the former inhabitants who were settled in the more commodious parts of the colony.

Ever since that time we have been considered and treated upon an equal footing with our fellow-subjects, nor have our ministers or people been restricted in their religious privileges by any law of the colony. Your humble petitioners further show that with gratitude they acknowledge the catholic design of our late honorable Assembly to secure by law the religious liberties of all Protestant Dissenters in the colony. Accordingly they did in the year 1772 prepare and print a Toleration Bill; but as the subject was deeply interesting, it was generously left open for amendment. But notwithstanding we are fully persuaded of the catholic and generous design of our late representatives, yet we are deeply sensible that some things in the above-named bill will be very grievous and burdensome to us if passed into a law. Therefore we humbly and earnestly pray that the said bill may not be established without such alterations and amendments as will render it more agreeable to the principles of impartial liberty and sound policy, which we presume were the valuable ends for which it was first intended. Therefore we humbly beg leave, while we are making the prayer of our petition, in a more particular way to lay before this honorable House in the most respectful manner a few remarks upon the bill.

"The preamble is agreeable to what we desire, only we pray that the preamble and every other part of the bill may be so expressed as will be most likely to obtain the royal assent.

"We are also willing that all our clergymen should be required to take the oaths of allegiance, etc., usually taken by civil officers, and to declare their belief of the Holy Scriptures.

"Likewise, as is required in said bill, we shall willingly have all our churches and stated places for public worship registered, if this honorable House shall think proper to grant it. But every minister of the gospel is under indispensable obligations to follow the example of our blessed Saviour, 'who went about doing good,' and the example of his Apostles, who not only 'taught in the Temple, but in every house where they came they ceased not to teach and preach Jesus Christ.' From which, and their constant practice of traveling into every quarter of the world, we humbly trust that it will appear to this Assembly that we can not, consistent with the duties of our office, wholly confine our ministrations to any place or number of places. And to be limited by law would be the more grievous, because in many parts of this colony, even where the majority of the inhabitants are Presbyterians, it is not and perhaps it may not in any short time be easy to determine where it would be most expedient to fix upon a stated place for public worship; and indeed, where we have houses for worship already built, generally the bounds of our congregation are so very extensive that many of our people, especially women, children, and servants, are not able to attend by reason of the distance, which makes it our duty as faithful ministers of Christ to double our diligence, and frequently to lecture and catechise in the remote corners of our congregations. This restriction would also be very grievous to us in many other respects.

"We only beg leave to add that the number of Presbyterians in this colony is now very great and the number of clergymen but small; therefore we are obliged frequently to itinerate and preach through various parts of the colony, that our people may have an opportunity to worship God and receive the sacraments in the way agreeable to their own conscience. As to our having meetings for public worship in the night, it is not in frequent practice among our churches; yet sometimes we find it expedient to attend night meetings, that a neighborhood may hear a sermon or a lecture or be catechised without

being much interrupted in their daily labor. And so long as our fellow subjects are permitted to meet together by day or night for purposes of business or diversion, we hope we shall not be restrained from meeting together, as opportunity serves us, upon business of all others the most important, especially if it be considered that the Apostles held frequent societies by night, and once St. Paul continued his speech till midnight. Accordingly it is well known that in cities and collegiate churches evening prayers and lectures have long been esteemed lawful and profitable exercises. As to any bad influence this practice may have upon servants or any others, it is sufficient to say that there is nothing in our principles or way of worship that tends to promote a spirit of disobedience or disorder, but much to the contrary; and if any person shall be detected in doing or teaching any thing criminal in this respect, we presume he is liable to punishment by a law already in being. Therefore we pray that no dissenting minister according to law may be subjected to any penalty for preaching or teaching at any time or in any place in this colony.

"We confess it is easy for us to keep open doors in time of divine service, except in case of a storm or other inclemencies of weather; yet we would humbly represent that such a requirement implies a suspicion of our loyalty, and will fix a stigma upon us to after ages, such as we presume our honorable representatives will not judge that we have anyhow incurred. Therefore we pray that this clause may also be removed from the bill.

"As to baptizing or receiving servants into our communion, we have always anxiously desired to do it with the permission of their masters; but when a servant appears to be a true penitent and makes a profession of his faith in Christ, upon his desire it is our indispensable duty to admit him into our Church; and if he has never been baptized, we are to baptize him according to the command of Christ, 'Go ye therefore and teach all nations, baptizing them in the name of the Father and of the Son and of the Holy Ghost, teaching them to observe all things whatsoever I have commanded you; and lo! I am with you alway, even unto the end of the world. Amen.' And we are so confidently persuaded of the liberal sentiments of this House, that in obeying the laws of Christ we shall never be reduced to the necessity of disobeying the laws of our country.

"And also, having abundant reasons to hope that we shall be indulged in every other thing that may appear reasonable, your petitioners further pray:

"For liberty and protection in the discharge of all the functions and duties of our office as ministers of the gospel, and that the penalties to be inflicted on those who may disturb any of our congregations in the time of divine service, or misuse the preacher, be the same as on those who disturb the congregation or misuse the preachers of the Church of England, and that the dissenting clergy, as well as the clergy of the Established Church, be excused from all burdensome offices. All which we conceive is granted in the English Toleration Act.

"And we pray for that freedom in speaking and writing upon religious subjects which is allowed by law to every subject of the British Empire in civil affairs, and which has long been so friendly to the cause of Liberty.

"And also we pray for a right by law to hold estates and enjoy donations and legacies for the support of our churches and schools for the instruction of our youth. Though this is not expressed in the English Act of Toleration, yet the greatest lawyers in England have plead and the best judges have determined that it is manifestly implied.

"Finally we pray that nothing in the Act of Toleration may be so expressed as to render us suspicious or odious to our countrymen, with whom we desire to live in peace and friendship; but that all misdemeanors committed by dissenters may be punished by laws equally binding upon all our fellow-subjects, without any regard to their religious tenets. Or, if any non-compliance with the conditions of the Act of Toleration shall be judged to deserve punishment, we pray that the crime may be accurately defined and the penalty ascertained by the Legislature, and that neither be left to the discretion of any magistrate or court whatsoever.

"May it please this honorable Assembly, there are some other things which we omit because they are less essential to the rights of conscience and the interest of our Church. We trust that we petition for nothing but what justice says ought to be ours; for as ample privileges as any of our fellow-subjects enjoy; 'to have and enjoy the full and free exercise of our religion, without molestation or danger of incurring any penalty whatsoever.' We are petitioning in favor of a Church that is neither contemptible nor obscure. It prevails in every province to the northward of Maryland, and its advocates in all the more Southern Provinces are numerous and respectable. The greatest monarch in the North of Europe adorns it; it is the established religion of the populous and wealthy States of Holland; it prevails in the wise and happy Cantons of Switzerland; it is the possession of Geneva, a State among the foremost of those who at the Reformation emancipated themselves from the slavery of Rome; and some of the first geniuses and writers in every branch of literature were sons of our Church.

"The subject is of such solemn importance to us that, comparatively speaking, our lives and our liberties are but of little value, and the population of the country and the honor of the Legislature, as well as the interest of American liberty, are certainly most deeply concerned in the matter. Therefore we would willingly lay before this honorable House a more extensive view of our reasons in favor of an unlimited, impartial Toleration; but fearing we should transgress upon the patience of the House, we conclude with praying that the all-wise, just, and merciful God would direct you in this and all your other important determinations.

"Signed by order of Presbytery.

DAVID RICE, *Moderator.*

CALEB WALLACE, *Clerk.*

"At a session of the Presbytery in Amherst County, November 11, 1774."

The recovery of this petition through the labors of Col. Henry supplies ground to hope that if proper search were made in the Archives at Richmond it might also be possible to recover the exact text of certain other petitions which the Baptist people of Virginia must have laid before the House of Burgesses at the same time. In his History of the Baptists of Virginia (p. 25) Dr. Semple says:

"The Baptist interest increased in a much greater proportion. So favorable did their prospects appear that toward the close of the year 1774 they began to entertain serious hopes not only of obtaining liberty of conscience, but of actually overturning the Church Establishment, from whence all their oppression had arisen. Petitions for this purpose were accordingly drawn and circulated with great industry. Vast numbers readily subscribed them."

The lists of names appended to these Baptist petitions, if they could once be recovered, would be of interest to the historical student, to say nothing of the importance of ascertaining the exact color of the sentiments that at the moment in question were proposed by the Baptist people.

It is entirely possible, as has been declared by Col. Henry, that Mr. Wallace was the author of the Hanover Petition, but no definite proof of his authorship has yet been advanced. His deep interest in the topic and his subsequent prominent labors to promote religious freedom may, however, fairly be taken to constitute a presumption in his favor. The character of these labors will be described in the following chapters.

CHAPTER V.

AN HISTORICAL EPISTLE.

No action was taken by the House of Burgesses with relation to the subject of the petition that has been recited in the preceding chapter. That body was now engaged in perpetual conflicts with Governor Dunmore, and had little time or temper to consider other affairs. The quarrel came to a crisis in due time, and the Legislature was dissolved. On the 17th of July, 1775, the first Convention was assembled at Richmond, which raised an armed force to resist Governor Dunmore. On the 6th of May, 1776, the second Convention met at Williamsburg, and instructed the Delegates representing the Colony in General Congress to propose to that body to "declare the United Colonies free and independent States."

On the 7th of October, 1776, was convened the first Legislature of the new State of Virginia in session at Williamsburg. Sensible of the importance of that occasion, Hanover Presbytery decided to improve it by presenting a Memorial, the earliest writing under that name that it ever issued, and to send it by one of its own members to be laid before the Legislature. Mr. Wallace was chosen to perform that service, and in a letter to his old friend, the Rev. James Caldwell, of Elizabethtown, New Jersey, he has supplied an account of the manner in which he fulfilled his stewardship. This letter is an important historical production, which has been preserved by the merest accident, and was published on the 1st of December, 1857, in the *Historical Magazine* (Vol. 1, No. 12, p. 354), that was formerly issued at Boston by C. Benjamin Richardson. The exact text, as copied from the *Historical Magazine*, is as follows:

"REVOLUTIONARY LETTERS. NO. VI. CALEB WALLACE, 1777.

"From the original in the collection of Charles H. Morse, Esqr., Cambridgeport, Mass.

"*Rev. and Dear Sir:* I sincerely sympathize with you and Mrs. Caldwell in your distress, or I might rather say my heart bleeds for my friends and all the good people of the Jerseys. Indeed, I sometimes find it difficult to reconcile myself to the providence that the seat of learning and the garden of America should become a field of blood, a barren desert, a Theatre in which Tyranny is acting more horrid scenes than were ever represented in fictitious Tragedy. Were I to take the case in a religious view, I should only repeat what has been a thousand times the subject of your meditations. I therefore omit any thing in the way of counsel or comfort. I do not know that we have sinned against the King of England, but we have sinned against the King of Heaven, and he is now using Great Britain as the *rod of his anger*. By them he is executing just judgment against us, and calling us to repentance and humiliation. I also hope he is bringing about great things for his Church.

"When I take the case in a political view, I can only say that at this distance from the scene of action and of danger I still persevere in the sentiment *that an American ought to seek an emancipation from the British King, Ministry, and Parliament, at the risk of all his earthly possessions of whatever name.* Nor is it the fear of danger that has prevented my preaching this doctrine in the Army at headquarters, but I have hitherto judged it of more importance for me to cast in my mite into the treasury of public usefulness in my own country. Some of our Presbytery are superannuated or unhealthy, so that the few active members never had louder calls from both Church and State to exert themselves; and I might add, that as all attention to a thing of such unspeakable advantage to both—I mean liberal education—must be given up near the seat of war, we think it incumbent upon us to spare no pains upon the two Academies which we have for some time been endeavoring to establish. The one in Prince Edward flourishes beyond our most sanguine expectations. It is furnished with excellent Tutors, and the great number of students has become a real grievance, so that it wants no human help to make it a miracle, considering its age and remote situation, but a few thousand pounds to furnish buildings. Although money has become very plenty in our country, yet we are discouraged at present from pushing subscriptions for the purpose by a popular sentiment which prevails, that we should secure our Independence before we pay our regards to the Muses; but any one who takes extensive views must be shocked with the prospect of our American people becoming barbarians and of making shipwreck in our Government for want of skill to guide the helm. I need say nothing as to what must soon be the condition of the Church without a learned as well as a faithful ministry. As to the progress of religion among us, I can not give you a very flattering account. The whole attention of the people is so given up to news and politics that I fear the one thing needful is neglected. As to our civil affairs, we are pretty unanimous. We have a most excellent Bill of Rights, and I think a good form of Government; but I ought to confess that I meddle very little with matters of civil concern, only to countenance the recruiting business as far as I have it in my power, and I sometimes have a fight with the prejudices, I would rather say the perverseness, of such as are inclining to Toryism among us. But we have reason to rejoice that we have few such *cattle* with us.

"There is one thing, however, which might be called political in which I have interested myself very much. Our Bill of Rights declares *that all men are equally entitled to the free exercise of religion according to the dictates of conscience, etc.* Yet in some subsequent Acts it is manifest that our Assembly designed to continue the Old Church Establishment. This and some Petitions that were circulated through various parts of the country in behalf of dignified Episcopacy gave a general alarm to people of dissenting principles, and the common cry was, If this is continued, what great advantage from being independent of Great Britain? And is it not as bad for our Assembly to violate their own Declaration of Rights as for the British Parliament to break our charter? The Baptists circulated a Counter Petition which was signed by above 10,000, chiefly Freeholders. Our Transalpine Presbyterians were much chagrined with what they understood was likely to be publicly done, and with what was said and done in a more private way against dissenters; and indeed many dissenters in every part of the country were unwilling any longer to bear the burthen of an Establishment. These circumstances induced our Presbytery to take the lead and prepare a Memorial on the subject, to be presented to our House at the session last fall; and as none of the members who were older in the ministry and better

qualified could undertake it, the Presbytery appointed me their Deputy, which obliged me to make the case a particular study, which indeed I had done for sometime before, and to attend the General Assembly for six or eight weeks. The result was, the Assembly passed an Act exempting dissenters for all time to come from supporting the Church of England, declaring *all penal or persecuting laws against any mode of worship, etc., null and void*, and for the present left all denominations to support their Clergy by *voluntary* contributions, *reserving the consideration of a general assessment for the support of religion (as they phrase it) to a future session*. This you may suppose was very pleasing to some, and as ungrateful to others; and still there are many of a certain Church, I would rather say craftsmen, who are hoping that something will yet be done in favor of the *Great Goddess Diana*, and others are fearing that religious liberty and the right of private judgment will be abridged by our Assembly's taking upon them to interfere in a case that lies beyond the limits of civil government. Thus has the affair ended, or rather proceeded, without producing any other consequence than a day or two's debating in the House and a little newspaper bickering.

"I have nothing worth your reading to inform you concerning my congregation or myself. Vice in her most odious forms has not yet ventured to appear openly among us. I am doing my feeble endeavors as a Watchman on this part of Zion's walls; but we labor under many discouragements, because we can discern that the glory is departed from this part of the Israel of God. I am still in a state of widowhood, and suppose I shall continue so, at least during these troublous times. I hope Mr. Smith will have an opportunity of delivering you this letter at Synod; and if your time will permit, please write to me by him. I sent you a letter last spring by Samuel Baldwin, which I fear you have not received, as I was since informed that you was with the army on the frontiers of New York. Remember me affectionately to Mrs. Caldwell, and may the Lord support you and her under your present trials, is the earnest prayer of your sincere friend,

"Charlotte County, April 8, 1777."

"CALEB WALLACE.

CHAPTER V.

A BIT OF NEWSPAPER BICKERING.

Special attention is called to the fact that in the preceding letter Mr. Wallace speaks of "a little newspaper bickering" in connection with his exertions in the character of Deputy of the Hanover Presbytery to press the Bill for Religious Freedom through the General Assembly of Virginia. That portion of the enterprise which was enacted in the public press appears to have been planned with a good deal of skill. A file of the *Virginia Gazette*, in which the discussion was performed, is carefully preserved in the State Library at Richmond, and my excellent friend, Col. William Wirt Henry, without whose assistance it would have been out of my power to prosecute these researches, gave himself the pains carefully to examine it for my advantage. This gentleman informs me that "in the issue of the 18th of October, 1776, nine days after the first session of the General Assembly was opened at Williamsburg, there appeared in the *Gazette* an able paper in favor of religious liberty, entitled 'The Sentiments of the Several Companies of Militia and Freeholders of Augusta, in Virginia, communicated by the Deputies from the said Companies and Freeholders to their Representatives in the General Assembly of the Commonwealth.'"

The above might have been a portion of the scheme of Mr. Wallace's campaign. The Deputies from Augusta in the year 1776 were George Mathews and Samuel McDowell. It was natural that Wallace should confer with his father-in-law touching a concern in which they were both equally interested. The cause of Wallace and of the Presbytery of Hanover would alike be promoted if the people of Augusta, who were nearly all Presbyterians, would consent to second the movement he had in charge by means of a strong petition. The Baptists were in the field with a petition to which they had contrived to obtain the hands of ten thousand subscribers. A popular demonstration of that kind among the residents of "Transalpine Virginia" was considered to be every way desirable. Action somewhat similar to the above had been taken by a meeting of the freeholders of Augusta that convened in Staunton on the 22d of February, 1775, and appointed Mr. Thomas Lewis and Capt. Samuel McDowell to be their representatives in the Convention that met at Richmond on the 20th of the following month. A committee was appointed, who were charged with the task of drafting instructions for the direction of the conduct of their representatives in that body. (Waddell, pp. 148, 149.) With a view to agitate the subject of religious freedom, it was shrewdly decided to cause the document which had been provided by the several companies of militia and by the freeholders of Augusta, and which it is possible had been composed by Mr. Wallace, to be inserted (as mentioned above) in the issue of the *Virginia Gazette* for the 18th of October. There is conceived to be a somewhat distinct allusion to this performance in the language of Wallace's letter to the Rev. James Caldwell, in which he says, "Our Transalpine Presbyterians were much

chagrined with what they understood was likely to be publicly done, and with what was said and done in a more private way against dissenters."

No sooner had the representations of the people of Augusta seen the light than they attracted the attention which it was desired to procure for them. Col. Henry reports that "a reply to this paper appeared in the issue of the *Virginia Gazette* for the 1st of November, 1776, signed 'A Member of the Established Church.'" Here was an opportunity for the Deputy of the Presbytery of Hanover. In the issue for the 8th of November appeared, without any signature, a paper which is believed to have been composed by him. Col. Henry says, "An examination of this paper in connection with the Memorial of Hanover Presbytery, which was presented to the House on the 24th of October, 1776, discloses so much similarity, and in some passages identity of argument, that I feel very sure that Mr. Wallace, who was then in Williamsburg as the bearer of the Hanover Memorial, and doubtless the author of it, was likewise the writer of the article in the *Gazette*; and this is made the more certain to my mind by his allusion to the newspaper discussion in his subsequent letter to Mr. Caldwell." The document in question is of so much consequence, and there are so many reasons to conclude that Mr. Wallace produced it, that a place should be made for it in the present biography. The full text follows herewith:

"QUERIES ON THE SUBJECT OF RELIGIOUS ESTABLISHMENTS.

"Is not the power conferred by the people upon their government limited? Can its limitations be better understood than by considering the ends for which it was instituted? Is not the most proper method to know the ends for which it was instituted, to inquire into the evils and inconveniences that attend the want of it? And is it not evident, on an impartial survey, that in a state of nature any man or collection of men might embrace what doctrines of faith, and worship the Deity in what form they pleased, without interfering with the same or any other natural right of their neighbors?

"Do not the constitution of the human mind, whose real assent or dissent necessarily follows its conviction, and the obligations of conscience, which forbid all equivocation or hypocrisy, render it both unlawful and absurd for any society to invest the magistrate with authority to prescribe articles of faith or to regulate religious conduct?

"But waiving the impossibility of exercising dominion over the understanding or the conscience, and the unlawfulness of attempting it, does experience show that the rulers of the earth have in general been marked by their piety and infallibility as religious guardians to the rest of mankind? And can it be supposed that any man whose entrance into civil society was a rational act ever meant to assign to the magistrate his rights of conscience, which all good men hold most sacred, and which of all other rights the magistrate is least qualified to be entrusted with?

"Does not the New Testament in almost every page assert the rights and ratify the obligations of conscience in direct repugnance to the unwarranted claims of the civil magistrate? May not the same reasoning that will justify the establishment of the best and most orthodox religion be applied with equal force to defend the establishment of the worst and most erroneous? Why is Christianity established in any country but because the civil magistrate believes it to be the true religion? And is the Emperor of China or the Great Mogul less orthodox in his own opinion?

"Can the cause of Protestantism be maintained on any ground which will not support the profession of any religion that does not set up a claim to civil prominence?"

"If the design of civil government does not imply, if the nature of religion does not admit, if the general character of rulers can neither challenge nor countenance, and if the principles of Christianity and Protestantism manifestly disclaim a surrender on the part of any people of the rights of conscience, does not the magistrate stand disarmed of every plea by which he could be authorized to dictate in matters of religion?"

"It appearing then that when men form the social compact each reserves to himself the right of choosing and acting for himself in what relates to religion and conscience, does it not follow that every individual is equally entitled to protection in the exercise of this, as much as of any other unresigned right, to obtain which they were induced to part with so great a portion of their natural liberty, and which they (all) parted with in an equal measure?"

"Can all men be said to enjoy an equal portion of their rights, religious or temporal, where a law exists that compels every member of the community to contribute a share of his substance for the maintenance of a church to which many can not conform, and from which a part only derive a benefit? And does not the imposition appear exceedingly flagrant and inhuman when we reflect that it is submitted to by many with a reluctant conscience, while with respect to others of a certain class it either robs them of the necessities of life, or, by exhausting the redundant pittance of a narrow income, disables them from procuring that particular instruction and worship which their judgment approves, and which they deem of inestimable utility? And is there not something peculiarly oppressive and dishonorable in obliging the inhabitants of the western side of the Blue Ridge to contribute indiscriminately to the support of a worship which not more than one in twenty of them approve or attend?"

"Is it consistent with reason to say that a partial or unjust institution is necessary for the support of a just and equal government? Is it consistent with true religion to say that its preservation requires an establishment founded in a violation of the common maxims of morality? Is it any evidence of esteem for the author of Christianity, who affirms that his kingdom is not of this world, to say that his religion would prove abortive if it was not incorporated with the kingdoms of this world? Does it argue a rational attachment to any church to deny that reason and its own intrinsic excellence are sufficient to uphold it when every secular prop is withdrawn, although other churches are seen to flourish without such props, and although it is undeniable that the primitive church made its way in the world and continued to extend itself for more than three hundred years without the least assistance from civil power?"

"But wherein is it pretended that this salutary influence of ecclesiastical establishments on civil government consists? Can they possibly afford the least probability for a uniformity of opinion, unless they include the remorseless tribunal of the inquisition, from which torrents of blood must continually flow to extinguish the spirit of inquiry, and at which liberty herself would soon be offered a victim to savage bigotry and sacerdotal domination? Or has the appropriation of certain public revenues to a particular sect any tendency to soften the religious animosity resulting from diversity of opinions, unless all other sects could by some magic art be made to believe that the religion of their rivals was so much superior to their own that it might deservedly receive such a mark of distinction?"

"Does not the Constitution of Virginia justly leave all power ultimately in the hands

of the majority? Is there not reason to apprehend, from the daily multiplication of Dissenters, that the time may shortly come when they will have the direction of our publick affairs? If justice be not done them when they are weak, will they not obtain it when they become powerful? May they not do more? May not a sense of injuries excite a spirit of retaliation?

“At a time when the salvation of our country confessedly depends on the aid and exertions of every party, does not policy loudly forbid any irritating refusal to the reasonable demands of thousands of valuable citizens? Does not prudence dictate an extension of the rights of all those who have been unjustly restrained, that they may be more interested in defending the present government, and may conceive greater horror at a return to the former one, which must infallibly be accompanied with the loss of so great an acquisition?

“Wherein consists the utility of church establishments with respect to religion and morality? Are any religious doctrines of the least avail to the individual or to the community, which are not sincerely believed, and which have not produced an actual impression upon the heart? Can the magistrate insure any thing farther than the external profession of such doctrines? If it be pretended that the promoting of morality or the duties of imperfect obligation, as they are styled, be the object of such establishments, do not the teachers of every religious denomination inculcate the same moral virtues? And can they justly be excluded, either directly or indirectly, from a participation of their emoluments?

“Does not experience demonstrate that in those countries where religion is most carefully guarded, and its officers most highly rewarded by the laws, it has the least rational and moral influence? What part of Christendom can be paralleled with Italy for atheism and profligacy of manners? Has any place rivaled it in zeal and provision for the temporal interests of the Church?

“Can it be said that establishments are requisite to secure a competent number of virtuous pastors whom the people would neglect to provide for themselves, when it is unquestionable that in each of the American States, where there is no civil establishment of religion, the number of public teachers is much larger in proportion to the number of inhabitants than in either of those States where a mistaken policy has transferred the care of religion from the people to the magistrate? And is there not a greater likelihood that the pastoral fidelity and exemplary deportment, on which the usefulness of such teachers chiefly depends, would be found in men subject to the voluntary maintenance of the people than in such as by their independence of the people are exempted from all obligation to fulfill their engagements but the sense of duty? How do men reason in other cases? Would the lawyer be more indefatigable in pursuing the interests of his client, would the physician give a more punctual and painful attendance on his patients, would the steward be more faithful to the trust committed to his management, if the connection between duty and interest, between merit and reward were diminished or dissolved?

“Have they imbibed the genuine spirit of the gospel who are ambitious of being masters in the sense forbidden by the meek and lowly Jesus, who are not content with being on a level with their brethren of other denominations, and who distrust the faithful promise of their Saviour that he will be with them to the end of the world, unless by an establishment of human invention security be obtained from the civil magistrate for its accomplishment?

"Or are they under the guidance of an honorable human sentiment who for the support of their religion devour the widow and the fatherless, and oppress the poor, the needy, and the stranger, and are not ashamed to force their hire from those for whom they never labored?"

"Whatever narrow zealots may allege to the contrary, does not a mixture of a variety of religious sects in the same civil society the most effectually promote freedom of inquiry and liberal sentiments? Can any device more completely answer the purposes of a Censor Morum (an inspector and reformer of manners), or form a more certain barrier against the encroachments of lawless power, foreign or domestic?"

Within the range of the entire literature of the struggle for religious freedom in Virginia there will hardly be encountered a much more able performance than the above. It is closely reasoned from the opening to the closing word, and reflects credit upon the capacities, the tact, and the continency of the author. Little wonder that the newspaper controversy was closed with its appearance. It covers the whole field, and is in many respects quite unanswerable.

CHAPTER VI.

THE MEMORIAL OF HANOVER PRESBYTERY.

The second formal deliverance and the earliest Memorial which the Hanover Presbytery had the honor to issue relating to the subject of religious freedom has already been referred to. Inasmuch as it was composed by Mr. Wallace, it deserves to be inserted in the present account of his life. The copy here supplied is derived from Foote's Sketches of Virginia, 1, 323, 324:

"MEMORIAL.

"To the Honorable the General Assembly of Virginia :

"The Memorial of the Presbytery of Hanover humbly represents, That your memorialists are governed by the same sentiments which have inspired the United States of America, and are determined that nothing in our power and influence shall be wanting to give success to the common cause. We would also represent that Dissenters from the Church of England in this country have ever been desirous to conduct themselves as peaceable members of the civil government, for which reason they have hitherto submitted to several ecclesiastical burdens and restrictions that are inconsistent with equal liberty. But now, when the many and grievous oppressions of our mother country have laid this continent under the necessity of casting off the yoke of tyranny, and of forming independent governments upon equitable and liberal foundations, we flatter ourselves that we shall be freed from all incumbrances which a spirit of domination, prejudice, or bigotry hath interwoven with most other political systems. This we are the more strongly encouraged to expect by the Declaration of Rights so universally applauded for the dignity, firmness, and precision with which it delineates and asserts the privileges of society and the prerogatives of human nature, and which we embrace as the *magna charta* of our commonwealth, that can never be violated without endangering the grand superstructure it was designed to maintain. Therefore we rely upon the *Declaration*, as well as the justice of our honorable Legislature, to secure us the free exercise of religion according to the dictates of our consciences. And we should fall short of our duty to ourselves, and the many and numerous congregations under our care, were we upon this occasion to neglect laying before you a statement of the religious grievances under which we have hitherto labored, that they may no longer be continued in our present form of government.

"It is well known that in the frontier counties, which are justly supposed to contain a fifth part of the inhabitants of Virginia, the Dissenters have borne the heavy burdens of purchasing glebes, building churches, and supporting the established clergy, where there are very few Episcopalians either to assist in bearing the expense or to reap the advantage, and that throughout the other parts of the country there are also many thousands of zealous friends and defenders of our State who, besides the invidious and disadvantageous

restrictions to which they have been subjected, annually pay large taxes to support an establishment from which their consciences and principles oblige them to dissent. All which are confessedly so many violations of their natural rights, and in their consequences a restraint upon freedom of inquiry and private judgment.

“In this enlightened age, and in a land where all of every denomination are united in the most strenuous efforts to be free, we hope and expect that our representatives will cheerfully concur in removing every species of religious as well as civil bondage. Certain it is that every argument for civil liberty gains additional strength when applied to liberty in the concerns of religion, and there is no argument in favor of establishing the Christian religion but what may be pleaded with equal propriety for establishing the tenets of Mahomed by those who believe the Al Koran; or, if this be not true, it is at least impossible for the magistrate to adjudge the right of preference among the various sects that profess the Christian faith without erecting a chair of infallibility which would lead us back to the Church of Rome.

“We beg leave farther to represent that religious establishments are highly injurious to the temporal interests of any community. Without insisting upon the ambition and the arbitrary practices of those who are favored by government, or the intriguing, seditious spirit which is commonly excited by this as well as every other kind of oppression, such establishments greatly retard population, and consequently the progress of arts, sciences, and manufactories: witness the rapid growth and improvement of the northern provinces compared with this. No one can deny that the more early settlement and the many superior advantages of our country would have invited multitudes of artificers, mechanics, and other useful members of society to fix their habitation among us, who have either remained in their place of nativity or preferred worse civil governments and a more barren soil, where they might enjoy the rights of conscience more fully than they had a prospect of doing it in this. From which we infer that Virginia might have been the capital of America, and a match for the British arms without depending on others for the necessities of war, had it not been prevented by the religious establishment.

“Neither can it be made to appear that the gospel needs any such civil aid. We rather conceive that when our blessed Saviour declares *his kingdom is not of this world* he renounces all dependence upon State power; and as his *weapons are spiritual*, and were only designed to have influence upon the judgment and heart of man, we are persuaded that if mankind were left in quiet possession of their unalienable rights and privileges, Christianity, as in the days of the apostles, would continue to prevail and flourish in the greatest purity by its own native excellence and under the all-disposing providence of God.

“We would humbly represent that the only proper objects of civil government are the happiness and protection of men in the present state of existence, the security of the life, liberty, and property of the citizens, and to restrain the vicious and encourage the virtuous by wholesome laws equally extending to every individual; but that *the duty which we owe our Creator and the manner of discharging it can only be directed by reason and conviction*, and is nowhere cognizable but at the tribunal of the Universal Judge.

“Therefore we *ask no ecclesiastical establishments for ourselves*, neither can we approve of them when granted to others. This indeed would be giving exclusive or separate emoluments or privileges to one set (or sect) of men without any special public services, to the common reproach and injury of every other denomination. And for the reasons recited we are induced earnestly to entreat that all laws now in force in the Commonwealth which

countenance religious domination may be speedily repealed; that all of every religious sect may be protected in the full exercise of their several modes of worship, and exempted from all taxes for the support of any church whatsoever, further than what may be agreeable to their own private choice or voluntary obligation. This being done, all partial and invidious distinctions will be abolished, to the great honor and interest of the State, and every one be left to stand or fall according to merit, which can never be the case so long as one denomination is established in preference to others.

"That the great Sovereign of the Universe may inspire you with unanimity, wisdom, and resolution, and bring you to a just determination on all the important concerns before you, is the fervent prayer of your memorialists.

"Signed by order of the Presbytery.

"JOHN TODD, *Moderator.*

"CALEB WALLACE, *P. Clerk.*"

CHAPTER VII.

TWO MONTHS IN WILLIAMSBURG.

In his letter to the Rev. James Caldwell, of Elizabethtown, N. J., Mr. Wallace says that he attended the General Assembly in Williamsburg for a period of six or eight weeks in the character of Deputy for the Presbytery of Hanover. It is probable that he arrived near the opening of the session on the 7th of October, 1776, and remained until the statute for the relief of Dissenters was duly enacted by the House of Delegates on the 5th of December following.

Mr. Jefferson was the undisputed leader of the House. As such it is suspected that the Deputy of the Presbytery sought an early opportunity to confer with him. Mr. Madison was also a member of the House, but as yet he had attained to no distinguished prominence in the council chambers of his country. Nevertheless, as he was a school friend from Princeton, it is easy to believe that Wallace was on intimate terms with him, and found an opportunity to lay before him the Memorial which he had prepared. Madison had recently and by a single stroke raised himself to the dignity of an idol of the dissenting communities of the State and country. Just before the passage of the famous Declaration of Rights on the 12th of June, 1776, he had suggested an amendment to a clause in the last article of that instrument that was much to their liking. The incident is thus described by Mr. Bancroft:

"Only one clause received a material amendment. Mason had written that all should enjoy the fullest toleration in matters of religion. . . . A young man then unknown to fame, of a bright hazel eye inclined to gray, small in stature, slight in person, delicate in appearance, looking like a pallid, sickly scholar among the robust men with whom he was associated, proposed a change. He was James Madison, the son of an Orange County planter, bred in the school of the Presbyterian Dissenters under Witherspoon at Princeton, trained by his own studies, by meditative rural life in the Old Dominion, and by an ingenious indignation at the persecution of the Baptists, by innate principles of right, to uphold the sanctity of religious freedom. He objected to the word 'toleration' because it implied an established religion which endured dissent only as a condescension; and as the earnestness of his convictions overcame his modesty, he went on to demonstrate that 'all men are equally entitled to the free exercise of religion according to the dictates of conscience.' His motion, which did but state with better dialectics the very purpose that Mason wished to accomplish, obtained the suffrages of his colleagues. This was the first achievement of the wisest civilian of Virginia."

It might have been added that this amendment shortly became the chief text and resource of the Dissenters of Virginia. The fact that he had offered it would render Madison every way welcome to Wallace, especially when one considers the commission that

the latter now had in his keeping. Mr. Wallace also enjoyed a coigne of vantage in the circumstance that one of the members from Augusta was his father-in-law and a somewhat prominent member of the Committee for Religion as the same was first constituted on Friday the 11th of October.

On that same day the campaign in behalf of religious freedom was opened by a petition of sundry citizens of the county of Prince Edward, whose names were thereto subscribed. (Journal of the House of Delegates for 1776, p. 7.) The list of names that was appended to the petition from Prince Edward is not accessible, but in case it shall ever be recovered it is suspected that the name of the Rev. Samuel Stanhope Smith, Rector of the Academy of Hampden-Sidney, will appear at the head of it. He is believed to have been the chief mover in the enterprise. On the 18th of November the Trustees of the Academy of Hampden-Sidney somewhat incautiously ventured before the House with a petition for pecuniary assistance. (Journal, pp. 58, 59.) It is vehemently suspected that this action of the Rector of Hampden-Sidney and his friends was at that time remembered against them. Their petition was coolly laid aside in a pigeon-hole of the Committee of Propositions and Grievances, where it was not disturbed any more.

The tenor of the Prince Edward petition was conceived in the following rather fiery terms: "The petitioners heartily approved and cheerfully submitted themselves to the form of government adopted for this State, and hoped that the American States would long continue free and independent; that they esteemed the last article of the Bill of Rights as the Rising Sun of Religious Liberty, to relieve them from a long night of Ecclesiastical bondage, and did most earnestly request and expect that this House would go on to complete what was so nobly begun; that is, to raise Religious as well as Civil Liberty to the zenith of glory, and make Virginia an asylum for free inquiry, knowledge, and the virtuous of every denomination; that justice to themselves and posterity made it their indispensable duty in particular to entreat that without delay all Church Establishments might be pulled down and every tax upon conscience and private judgment abolished, and each individual left to rise or sink by his own merit and the general laws of the land."

Of similar purport, though dressed in more humble phrases, was the petition of the Baptist Ten Thousand that was handed in at the bar of the House on the 18th of October. On the 22d of October two other petitions were received from the Dissenters in the counties of Albemarle, Amherst, and Buckingham, upon the origin and construction of which it is conceivable that Mr. Jefferson might have supplied the House with a certain amount of information in case he had been that way disposed. These were followed by another petition from Albemarle and Amherst on the 1st day of November. The German congregation in the county of Culpepper presented an effective document on the 22d of October, in which they shrewdly prayed for such rights and privileges as were bestowed upon their brethren in Pennsylvania. The Memorial of the Presbytery of Hanover that was read on the 24th of October received very considerate attention, occupying a full page in the Journal of Proceedings—a compliment which was probably due to the fact that its substance was ably argumentative and its tone was courtly and respectful. The Committee for the County of Augusta got in their Memorial last of all on the 9th of November. The only instrument of the kind that emanated from such a source, it was conceived and expressed with admirable ability and moderation.

In opposition to these, and in favor of the Established Church, there were sent up just two Memorials, that scarcely served any other purpose than to emphasize the weak-

ness of the friends of that organization. One of these was presented by the "people commonly called Methodists," and set forth the fact that "the Dissenters were preparing to lay before the House a petition for abolishing the present Establishment of the Church, and as the petitioners might, in the opinion of some, also come under the denomination of Dissenters, they begged leave to declare that they were a religious society in communion with the Church of England, and did all in their power to strengthen and support the said church; and, as they conceived very bad consequences would arise from abolishing the Establishment, they therefore prayed that the Church of England, as it hath ever been, might still continue to be the Established Church." (Journal for 1776, p. 30.)

The other Memorial, produced by "a considerable number of the clergy of the Established Church of Virginia," was presented on Friday the 8th of November. It was as strong a document as could reasonably be expected from a body of gentlemen whose situation almost necessarily placed them in opposition to the movement that was going forward to procure the independence and the liberties of America. They merely desired the House to abstain from coming to any final determination before the question of disestablishment should be formally referred to the country for the decision of a majority of the people.

All of these petitions were referred to the aforesaid Committee for Religion, which at the outset consisted of Mr. Braxton, Mr. Harwood, Mr. Richard Lee, Mr. Bland, Mr. Simpson, Mr. Starke, Mr. Mayo, Mr. Hite, Mr. Fleming, Mr. James Taylor, Mr. Watts, Mr. Lewis, Mr. Adams, Mr. Curle, Mr. Jefferson, Mr. Scott, Mr. Page, of Spottsylvania, Mr. Robert Carter Nicholas, and Mr. McDowell. It was subsequently increased by frequent additions, until finally, on the 6th of November, an order was passed that any member of the House might be at liberty to sit and vote in it. (Journal for 1776, p. 43.) Each and all of the other committees that had been erected for the service of the House made frequent reports, according to the exigencies of the situation; but an ominous silence brooded over the Committee for Religion. Mr. Jefferson reports that the various petitions and memorials that have been recited above "brought on the severest conflicts in which I have ever been engaged. Our great opponents were Mr. Pendleton and Mr. Robert Carter Nicholas—honest men, but zealous churchmen." The former was the Speaker of the House, and the latter was the Treasurer of the State. Both wielded an influence that corresponded with their stations. Mr. Hugh Blair Grigsby, in his Sketch of Mr. Wallace, preserved in the Library of Washington and Lee University, suggests that Wallace appeared before the Committee for Religion and argued his cause at length; but if he really enjoyed that honor, no account of the fact has been preserved in any historical record.

At length the Committee for Religion, becoming sensible that they could make no progress, frankly confessed their incapacity. Thereupon it was ordered "that the Committee for Religion be discharged from proceeding on the petitions of several religious societies, and that the same be referred to the Committee of the Whole House on the State of the Country." That action was had on the 9th of November. The Committee of the whole House gave attention to the business on the 19th of November, in which discussion the friends of religious freedom came off with a degree of success. They succeeded in passing a series of resolutions that were in several respects satisfactory to their wishes. Following is a copy of those resolutions:

1. "*Resolved*, As the opinion of this committee, that all and every act or statute, either of the Parliament of England or of Great Britain, by whatever title known or distinguished, which renders criminal the maintaining of any opinion in matters of religion, forbearing to repair to church, or the exercising any mode of worship whatsoever, or which prescribes punishment for the same, ought to be declared henceforth of no validity or force within this Commonwealth.

2. "*Resolved*, That so much of an act of Assembly made in the fourth year of the reign of Queen Anne, intituled 'An Act for the effectual suppression of vice, and restraint and punishment of blasphemous, wicked, and dissolute persons,' as inflicts certain additional penalties on any person or persons convicted a second time for any of the offenses described in the first clause of the said act, ought to be repealed.

3. "*Resolved*, That so much of the petitions of the several Dissenters from the Church established by law within this Commonwealth as desires exemption from all taxes and contributions whatever toward supporting the said Church and the ministers thereof, or toward the support of their own several religious societies in any other way than themselves shall voluntarily agree, is reasonable.

4. "*Resolved*, That although the maintaining any opinions in matters of religion ought not to be restrained, yet that public assemblies of societies for divine worship ought to be regulated, and that proper provision should be made for continuing the succession of the clergy and superintending their conduct.

5. "*Resolved*, That the several acts of Assembly making provision for the support of the clergy ought to be repealed, securing to the present incumbents all arrears of salary, and to the vestries a power of levying for performance of their contracts.

6. "*Resolved*, That a reservation ought to be made to the use of said Church in all time coming of the several tracts of glebe lands already purchased, the churches and chapels already built for the use of the several parishes, and of all plate belonging to or appropriated to the use of said Church, and all arrears of money or tobacco arising from former assessments; and that there should be reserved to such parishes as have received private donations for the support of the said church and its ministers the perpetual benefit of such donations.

"Ordered that Mr. Starke, Mr. Robert Carter Nicholas, Mr. Jefferson, Mr. Bullitt, Mr. Tazewell, Mr. Mason, Mr. Madison, Mr. McDowell, Mr. Gordon, Mr. Zane, Mr. Fleming, Mr. Henry, Mr. Griffith, Mr. Lewis, Mr. Simpson, Mr. Read, and Mr. Johnson do prepare and bring in a bill pursuant to the said resolutions." (Journal of the House for November 19, 1776.)

Here was a brave advance; but although it provided for the relief of certain of the grievances that were a source of discontent to the opposers of the Established Church, it also sturdily provided for the continued existence of that Church. The battle of opposing factions must have raged severely within the limits of the committee whose names were recited just above; but on Friday the 29th of November there befell a circumstance that was ominous to the hopes of the Dissenters. It was that day "ordered that Mr. Jefferson have leave of absence for the remainder of the session." By a curious coincidence, the very next day, "on a motion made, it was resolved that the committee appointed to prepare and bring in a bill pursuant to the resolution of the whole House on the petition of the several Dissenters be discharged therefrom, except as to so much of the third resolution as

relates to exempting the several Dissenters from the Established Church from contributing to its support; so much of the fifth as saves all arrears of salary to incumbents, and empowers vestries to comply with their contracts; excepting also the sixth resolution; and that it be an instruction to the said committee to receive a clause or clauses, to make provision for the poor of the several parishes, to regulate the provision made for the clergy, and to empower the several county courts to appoint some of their members to take lists of tithables where the same hath not been already done."

Here in their turn was a smart rally on the part of the opponents of religious freedom, and they followed up their success very closely. After the lapse of a few minutes, "Mr. Starke, from the committee appointed, presented according to order 'a bill for exempting the different societies of Dissenters from contributing to the support and maintenance of the Church, as by law established, and its ministers, and for other purposes therein mentioned,' which was read the first time and ordered to be read a second time."

The lion was now absent, and it was possible for lesser beasts to disport themselves. It is likely that couriers were immediately dispatched to summon the presence of Mr. Jefferson. Meanwhile the supporters of the Establishment would make the best of their opportunity. On the 25th of October the House had "ordered that leave be given to bring in 'a bill for dissolving the several vestries in this country,' and that Mr. Starke and Mr. Henry do prepare and bring in the same." Bright and early on the morning of the 2d of December that action was corrected. It was then "ordered that the committee appointed to bring in a bill 'for the dissolving of the several vestries within this Commonwealth' be discharged from the same." On that same day the bill "for exempting the several societies of Dissenters from contributing to the support and maintenance of the Church, as by law established, and its ministers, and for other purposes therein mentioned, was read a *second time* and ordered to be committed to a Committee of the whole House." The hard riders who must have been sent to fetch Mr. Jefferson from Albemarle had need of their utmost haste.

On the 3d of December, while he was still toiling to reach the capital, the above bill was duly discussed by the Committee of the whole House. On the 4th of December he had reached the place. The bill was brought forward that day, according to previous appointment, and the following minute records the proceedings that were had upon it:

"The House, according to the order of the day, resolved itself into a committee on the bill 'for exempting the different societies of Dissenters from contributing to the support and maintenance of the Church, as by law established, and its ministers, and for other purposes therein mentioned,' and after some time spent therein Mr. Speaker resumed the chair, and Mr. Starke reported that the committee had, according to order, had under their consideration the said bill, and had made several amendments thereto, which he read in his place, and afterward delivered in at the clerk's table, where the same were again twice read and agreed to. Ordered that the said bill, with the amendments, be engrossed and read a third time."

Those amendments, which it is believed Jefferson was enabled to slip in at the last moment, went far to save the character of the bill in the eyes of the dissenting community. It was passed on the 5th of December in the amended form. When the Senate

took up the bill on the 9th, certain amendments were in turn proposed by that body, which on the same day, in the absence of Mr. Jefferson, were duly agreed to by the House. Following is the text of the bill as it stood after encountering all the above-described perils and changes :

**"AN ACT FOR EXEMPTING THE DIFFERENT SOCIETIES OF DISSENTERS FROM CONTRIBUTING
TO THE SUPPORT AND MAINTENANCE OF THE CHURCH, AS BY LAW ESTABLISHED, AND
ITS MINISTERS, AND FOR OTHER PURPOSES THEREIN MENTIONED.**

"I. *Whereas*, Several oppressive acts of Parliament respecting religion have been formerly enacted, and doubts have arisen and may hereafter arise whether the same are in force within this Commonwealth or not :

"For prevention whereof, *Be it enacted by the General Assembly of the Commonwealth of Virginia, and it is hereby enacted by the authority of the same*, That all and every act of Parliament, by whatever title known or distinguished, which renders criminal the maintenance of any opinions in matters of religion, forbearing to repair to church, or the exercise of any mode of worship whatsoever, or which prescribes punishments for the same, shall henceforth be of no validity or force within this Commonwealth.

"II. *And whereas*, There are within this Commonwealth great numbers of Dissenters from the Church established by law who have been heretofore taxed for its support, and it is contrary to the principles of reason and justice that any should be compelled to contribute to the maintenance of a church with which their consciences will not permit them to join, and from which they can therefore receive no benefit.

"For remedy whereof, and that equal liberty, as well religious as civil, may be universally extended to all the good people of this Commonwealth, *Be it enacted by the General Assembly of the Commonwealth of Virginia, and it is hereby enacted by the authority of the same*, That all Dissenters, of whatever denomination, from the said Church shall, from and after the passing of this act, be totally free and exempt from all levies, taxes, and impositions whatever, toward supporting and maintaining the said Church, as it now is or may be hereafter established, and its ministers.

"III. *Provided nevertheless, and it is further enacted by the authority aforesaid*, That the vestries of the several parishes, where the same hath not been already done, shall and may, and they are hereby authorized and required, at such time as they shall appoint, to levy and assess on all tithables within their respective parishes, as well Dissenters as others, all such salaries and arrears of salaries as are or may be due to the ministers or incumbents of their parishes for services to the 1st day of January next; moreover, to make such assessments on all tithables as will enable the said vestries to comply with their legal parochial engagements already entered into; and lastly, to continue such future provision for the poor in their respective parishes as they have hitherto by law been accustomed to make.

"IV. *And be it further enacted by the authority aforesaid*, That there shall in all time coming be saved and reserved to the use of the Church by law established the several tracts of glebe land already purchased, the churches and chapels already built, and such as were begun and contracted for, before the passing of this act, for the use of parishes, all books, plate, and ornaments belonging or appropriated to the use of the said Church, and all arrears of money or tobacco arising from former assessments or otherwise; and that there shall moreover be saved and reserved to the use of such parishes as may have

received private donations, for the better support of said Church and its ministers, the perpetual benefit and enjoyment of all such donations.

"V. *And whereas*, Great variety of opinions hath arisen touching the propriety of a general assessment, or whether every religious society should be left to voluntary contributions for the support and maintenance of the several ministers and teachers of the gospel who are of different persuasions and denominations, and this difference of sentiment can not now be well accommodated, so that it is thought most prudent to defer this matter to the discussion and final determination of a future assembly, when the opinions of the country in general may be better known. To the end, therefore, that so important a subject may in no sort be prejudged, *Be it enacted by the authority aforesaid*, That nothing in this act contained shall be construed to affect or influence the said question of a general assessment or voluntary contribution in any respect whatever.

"VI. *And whereas*, By the exemptions allowed Dissenters it may be too burdensome in some parishes to the members of the Established Church if they are still compelled to support the clergy by certain fixed salaries, and it is judged best that this should be done for the present by voluntary contributions. *Be it therefore enacted by the authority aforesaid*, That so much of an act of the General Assembly, made in the twenty-second year of the reign of King George the Second, intituled 'An Act for the Support of the Clergy and for the Regular Collecting and Paying the Parish Levies,' or any other act as provides salaries for the ministers, and authorizes the vestries to levy the same, except in the cases before directed, shall be and the same is hereby suspended until the end of the next session of Assembly.

"VII. *And whereas*, It is represented that in some counties lists of tithables have been omitted to be taken. For remedy whereof, and for the regular listing all tithable persons, *Be it further enacted*, That the court of every county where lists of the tithables, agreeable to the directions of the laws now in force, are not already taken, it shall and may be lawful for the courts of such counties, and they are hereby required, at the first or second court after the end of this session of Assembly, to divide their counties into convenient precincts, and appoint one of the justices for each precinct to take a list of all the tithables therein; and every such justice so to be appointed shall give public notice of his being so appointed, and at what place or places he intends to receive the lists, by advertisements thereof affixed to the doors of the churches and meeting-houses in the parish where the precinct lies, and shall accordingly attend on the said day by him to be appointed, and at the second court next following shall deliver a fair list of the names and number of the tithables by him taken to the clerk of the court, who on the next court day shall set up fair copies of such lists in his court-house, there to remain during the sitting of that court, for the better discovery of such as shall be concealed.

"VIII. And if the justices of any county where lists of tithables have not been already taken shall fail to appoint some of their members to take the lists of tithables in the manner directed by this act, every justice so failing shall forfeit and pay ten pounds, to be recovered in the general court with costs, by action of debt or information against such justices jointly. And if any justice so appointed shall refuse or fail to give notice as aforesaid, and to take and return such list as aforesaid, he shall forfeit and pay two thousand pounds of tobacco or ten pounds, to be recovered with costs in any court of record in this Commonwealth. And every master or owner of a family, or, in his absence or non-residence at the plantation, his or her agent, attorney, or overseer, shall, on the said

time appointed by the justice for taking in the lists, deliver or cause to be delivered under his or her hand, to the justice appointed for that precinct, a list of the names and number of all tithable persons who were abiding in or belonging to his or her family on the 9th day of June last. Every master or owner, or, in his or her absence or non-residence, every overseer failing herein shall be adjudged a concealer of such and so many tithables as shall not be listed and given in, and for every tithable person so concealed he shall forfeit and pay five hundred pounds of tobacco or fifty shillings, to be recovered by action of debt or information in any court of record. And when any overseer shall fail to list the tithables upon the plantation whereof he is overseer, the master or owner shall be subject to the payment of his levies, in the same manner as if they had been listed. Every person at the time of giving in lists of tithables shall also give in a list of his or her wheel carriages subject to a tax to the several justices appointed to take the list of tithables, under the like penalty of each failure, and to be recovered in the same manner as is herein directed for concealing tithables. All the penalties hereby imposed shall be one moiety to the informer and the other moiety to the use of the county where the offense shall be committed, toward lessening the county levy." (Hening's Statutes at Large, vol. 9, pp. 164-67.)

Considering the object that the Dissenters had in view, there was no very brilliant triumph for them contained in the various stipulations of the above instrument. To be sure, the opportune arrival of Mr. Jefferson had procured the insertion of the first section, which the House, by resolution passed on the 30th of November, had declared could not be included; but the entire Act could be interpreted as hardly any thing better than a politic yielding to the tempest which it was expected would speedily blow over. The very title of it contained an insult to the Dissenters. It signified that their religious organizations were nothing better than "different societies," while that of the Establishment was a church. This Church was as firmly "by law established" after the passage of the statute as it had been before, while on their part the Dissenters conceived that but little was accomplished until they had succeeded in "pulling down all church establishments."

Nevertheless there was a hopeful beginning of the conflict that had been taken in hand, and reasons were abundant to be grateful for it. The services performed by Mr. Wallace in this conflict are worthy of recognition. Among the men of Hanover Presbytery there is none who deserves higher credit in this relation. Samuel Stanhope Smith and David Rice are reported to have produced the Memorial that came up from that body in the following year (Foote, 1, 327), but it was very largely dependent upon the Memorial that Wallace had composed in 1776, and in more than a single instance cited the exact language of Wallace.

In the month of April, 1780, another Memorial was issued (Foote, 1, 332), but nothing definite is known concerning the author or the fortunes of it. In May, 1784, a fourth Memorial appeared, composed by John Blair Smith and the blind preacher, Mr. James Waddell (Foote, 1, 332); yet it is suspected most of the work was done by the former. In May, 1784, still another Memorial was presented, this time by William Graham and John Blair Smith. (Foote, 1, 335.) In that performance an unlucky concession was made to the project of a general assessment, that was subsequently repudiated by the Presbyterian constituency. (Foote, 1, p. 341.) Presbytery during the session of May, 1784, even went to the extreme of introducing a "plan agreeably to which alone they were will-

ing to admit a general assessment for the support of religion by law, the leading principles of which are as follows:

"1st. Religion as a spiritual system is not to be considered as an object of human legislation, but may in a civil view, as preserving the existence and promoting the happiness of society. 2d. That public worship and public periodical instruction to the people be maintained in this view by a general assessment for this purpose. 3d. That every man as a good citizen be obliged to declare himself attached to some religious community publicly known to profess the belief in one God, his righteous providence, our accountability to him, and a future state of rewards and punishments. 4th. That every citizen should have liberty annually to direct his assessed proportion to such community as he chooses. 5th. That twelve tithables or more, to the amount of one hundred and fifty families, as near as local circumstances will admit, shall be incorporated, and exclusively direct the application of the money contributed for their support. Messrs. Todd, Graham, Smith, and Montgomery are appointed to present the Memorial and attend the Assembly with the plan of an assessment."

Undoubtedly several good features may be perceived in the said "plan of assessment," but in general it must be conceded to surrender some of the dearest principles that the Dissenters had been contending for. It is not a desirable thing to adorn Mr. Wallace with any laurels at the expense of his ministerial brethren, and every consideration of right feeling prompts me to approach with delicacy the reputation of the various heroes of the faith whose names have been cited. Yet the fact that they gave their consent to the aforesaid "plan of assessment" it is believed ought to have its influence upon the estimate that shall be made touching the merits of individual actors.

Certain it is that Presbyterian scholars and divines of later times, when they wish to set forth the attitude of their Church during the struggle of the Revolution, have a fashion of citing the Memorial that was composed by Wallace in preference to any other that emanated from the Presbytery of Hanover. This remark is believed to apply in particular to Dr. John H. Rice, in his work entitled "Illustrations of the Character and Conduct of the Presbyterian Church in Virginia," and to Dr. Charles Hodge, in his "History of the Presbyterian Church in the United States." (Part II, pp. 494, 495.) The estimate which Dr. Hawks, the author of a History of the Protestant Episcopal Church in Virginia, has placed upon the Memorial produced by Wallace is likewise worthy of attention. He says (p. 140), "The Baptists, though not to be outdone in zeal, were surpassed in ability by the Presbyterians; and among the many well-written Memorials from that denomination the ablest will probably be thought to have come from the Presbytery of Hanover" (in 1776).

CHAPTER VIII.

SECOND MARRIAGE OF MR. WALLACE.

The second wife of Mr. Wallace and the mother of his children was Rosanna Christian, the youngest daughter of Capt. Israel Christian. She was born in the year 1754, at Staunton, where her father was at that time residing. He was one of three Captains of Horse for Augusta County during the perils from the Indians that succeeded the defeat of General Braddock. (Waddell, p. 91.) He was also one of the earliest trustees of the town of Staunton, when it was chartered by the legislature in the year 1761. (Waddell, p. 108.)

The first glimpse that is afforded of Miss Rosanna Christian by the sources that are at present accessible occurs in the year 1774, when she had just turned her twentieth year. The incident is connected with one of the most important struggles in the annals of Indian warfare. Her brother, Col. William Christian, a prominent military character, had been assigned to the command of a battalion of troops from Washington and Bedford counties, who were expected to do service in the famous battle of Point Pleasant, that was fought on the 10th of October, 1774. Col. Christian was actively engaged in the labor of making preparation for his campaign. One of his indispensable duties was to provide for the safety of his wife and children during his absence. This excellent lady was Anne Henry, a sister of Patrick Henry. The mother of Patrick Henry therefore went to fetch her from the mountains to her own place in Hanover.

On the journey to the mountains it is possible that Mrs. Henry had lodged with the parents of Col. Christian. On her return she lodged with Col. William Fleming, who had married a sister of Col. Christian, and was expected to lead the battalion of troops from Botetourt in the approaching struggle. At the house of Col. Fleming she encountered Miss Rosanna Christian, who is suspected to have come over to Botetourt to visit and comfort her eldest sister Annie while her husband should be absent on his perilous mission.

It was natural for Mrs. Henry, after her return, to write a letter to Mrs. Fleming, in which she should give some account of her journey and of the manner in which she had fared while she was prosecuting it. That letter has been preserved, and a copy of it is supplied by Peyton in his History of Augusta County, Virginia, page 345. The full text of it is as follows:

"15 OCT'R, 1774.

"Dear Madam: Kind Providence preserved me and all with me safe to our home in Hanover. Here people have been very sickly, but hope the sickly season is nigh over. My dear Annie has been ailing two or three days with a fever. The dear children are very well.

"My son Patrick has gone to Philadelphia near seven weeks. The affairs of Congress are kept with great secrecy, nobody being allowed to be present. I assure you we have our lowland troubles and fears with respect to Great Britain. Perhaps our good God may bring good to us out of these many evils which threaten us not only from the mountains, but from the seas. I can not forget to thank my dear Mrs. Fleming for the great kindness that you showed us in Botetourt, and assure you that I remember Col. Fleming and you with much esteem and best wishes, and shall take it very kind if you will let me hear from you.

"My daughter Betty joins me in kind love to yourself and Miss Rosie, and especially to your dear good mother when you see her.

"I am, dear madam, your humble servant,

"SARAH HENRY."

At the moment when this epistle was put to paper her friend Col. Fleming was lying in peril of death on the banks of the Kanawha. At the battle of Point Pleasant, which occurred five days before, he was badly wounded in the opening of the action, and borne helpless back to camp. (Foote, 2, 164.) Possibly other letters were exchanged when Mrs. Henry had been duly advised of this painful casualty, but none of these have been recovered.

No conjecture can be ventured regarding the chance by which Mr. Wallace came to form the acquaintance of his second wife. Their union took place on the 11th of May, 1779. In anticipation of it and of the removal which it would occasion, he sold his farm in Charlotte County to a certain William Brown on the 9th of January, 1779. Hanover Presbytery met on the 9th of June, 1779, at Hall's Meeting-house, now Lexington, Virginia. Wallace attended the session and was made moderator, at which time a call was handed in for him "from the inhabitants of Roanoke." The explanation of that entry on the minutes of Presbytery is supposed to be found in the circumstance that Col. William Fleming, the brother-in-law of Wallace, resided at a place known as Big Lick, in the vicinity of the town of Roanoke, and that it was desirable, for family reasons, that he should also reside and preach there. Another preaching appointment was situated but a few miles away, at a place called "Catawba." There, in what is still known as Catawba Valley, then situated in Botetourt, but at present lying within the limits of the county of Roanoke, he is said to have had certain of the family of the McAfees among his parishioners, some of whom have since run a distinguished career in Kentucky.

At this distance of time it is not easy, without access to the records of the fraternity, to determine who succeeded Mr. Wallace in the pastoral relation at Cub Creek. It is believed that the church was favored with the services of the celebrated Dr. Samuel Stanhope Smith and of his brother, John Blair Smith, during the years that intervened between 1779 and 1784. At the latter date it is reported that the godly James Mitchel, a son-in-law of David Rice, was installed as pastor and held the office for a period of three years (Foote, 2, 136); but for much of that time Mitchel was absent in Kentucky. After the departure of Mitchel, who for a season was one of the tutors at Hampden-Sidney, his place was apparently occupied at Cub Creek by Drury Lacy (Foote, 1, 492), who likewise was a tutor at the college. It may easily be believed that John Blair Smith, the second presi-

dent of the college, was often seen in the pulpit at Cub Creek. In the year 1793, when John Blair Smith had been already two years in Philadelphia, Drury Lacy received an assistant at Cub Creek in the person of Archibald Alexander. The two tried for a brief period the experiment of preaching in rotation at six several stations; but this not proving satisfactory, Mr. Alexander in the month of October, 1794, became sole pastor of the two churches of Cub Creek and Briery. In the year 1804 Dr. Alexander was succeeded at Cub Creek by the distinguished John H. Rice. (Foote, 2, 277.)

These details are recited to direct attention to the fact that the history of the church at Cub Creek is connected with some of the foremost names in the annals of the Presbyterian Church of America.

CHAPTER IX.

WALLACE AS A PROMOTER OF HIGHER EDUCATION.

His interest in the progress of good learning was always active—a fact which is especially displayed in the letter to Dr. James Caldwell that has been inserted in a preceding chapter. Even before he returned to Virginia from his residence in New Jersey that topic had been brought to the attention of the Presbyterians of the former colony. In the month of May, 1771, the Synod of New York and Philadelphia had taken occasion to recommend the Academy at Newark, New Jersey, to the charity of the various congregations within its bounds.

The Presbytery of Hanover was one of the constituents of the Synod. It therefore resolved at its meeting in October, 1771, that all the ministers should be recommended to lay the business before their several congregations, and to use their best influence to promote the collection that was desired. That circumstance was more fruitful than was anticipated by any of the parties concerned. It caused the members of Hanover Presbytery also to consider the necessity of establishing a literary institution within their own territory, which should be fostered by their own exertions. It was resolved on the spot that "Presbytery being very sensible of the great expediency of erecting a seminary of learning somewhere within the bounds of this Presbytery, do recommend it to all the members to take this matter under consideration, and report their thoughts at our next, *especially respecting the best method of accomplishing it.*" (Foote, 1, 441.)

The item was again handled at Rockfish in April, 1772, but without any definite result. In June, 1773, it was once more discussed at Brown's meeting-house. The conclusion had been established from the beginning that the enterprise must be undertaken. The only room for discussion related to questions of detail that might arise in the progress of the enterprise. The principal one of these questions of detail was handled at Brown's meeting-house: "the Presbytery thought it prudent to defer the fixing the particular place of our intended Seminary until our next stated Presbytery, which was to be at Rockfish, on the second Wednesday of October next." (Foote, 1, 442.) At Rockfish it was "agreed to fix the public Seminary for the liberal education of youth in Staunton, Augusta." In October, 1774, at Cub Creek, just after Mr. Wallace had been duly ordained to the full work of the ministry, a change came over the dreams of the Presbytery. It was there resolved that "the Presbytery resume the consideration of a school for the liberal education of youth, judged to be of great and immediate importance. We do therefore agree to establish and patronize a public school which shall be *confined to the county of Augusta.* At present it shall be managed by Mr. William Graham, a gentleman properly recommended to this Presbytery, and under the inspection of the Rev. Mr. John Brown. And the Presbytery reserve to themselves the liberty at a future session more particularly to appoint the person by whom it shall be conducted and the place where it shall be fixed,

which they are induced to do notwithstanding a former presbyterial appointment, because there is no person to take the management of it in the place first agreed on, and it is very uncertain whether there ever will be." (Foote, 1, 442.)

The suggestion contained in the above passage that the school which they were now to establish should be "confined to the county of Augusta" is believed to have come, perhaps by indirection, from the Rev. Samuel Stanhope Smith. (Foote, 1, 441.) The reason for this limitation is to be sought in the circumstance that Mr. Smith, feeling the need of a change of climate, had quitted Princeton College, where for three years he had acted in the character of tutor, and in 1773 had gone as a missionary to Virginia. There his preaching and his powers had attracted universal admiration, and it was felt to be exceedingly desirable that he should fix his residence in Virginia. It was not possible to supplant Mr. Graham in the position that had been assigned to him in the school of the Rev. Mr. Brown, but it was possible to make room for Mr. Smith by confining Mr. Graham's patronage to Augusta County, leaving the district south of the Blue Ridge for another school that should be under the direction of Mr. Smith. Here, apparently almost by accident, were laid the foundations of a rivalry between the two Presbyterian Colleges of Virginia, that has continued more or less to the present moment, sometimes with happy and at other times with unhappy results.

Another session of Presbytery was appointed for the 9th of November, 1774, in which the action of the previous session at Cub Creek was more clearly explained. It was there said that the Presbytery, taking into consideration "the great extent of the colony, judge that a public school for the liberal education of youth would be of great importance on the south side of the Blue Ridge, notwithstanding the appointment of one already made in Augusta, and having been favored with the company of Mr. Samuel Smith, a probationer of Newcastle Presbytery in Pennsylvania, a gentleman who has taught the languages for a considerable time in the New Jersey College with good approbation, and with pleasure finding that if properly encouraged he may be induced to take the charge of such a Seminary, we therefore judge it expedient to recommend it to the congregations of Cumberland, Prince Edward, and Briery in particular, and to all others in general, to set a subscription on foot to purchase a library and a philosophical apparatus and such other things as may be necessary for the said purpose." (Foote, 1, 393, 394.)

By the process which has been just now described, Hanover Presbytery had created two several colleges within less time than a single month. The first of the pair was established on the 14th of October, 1774, at Cub Creek, and is now known by the name of Washington and Lee University. The second was established at the house of Col. William Cabel on the 9th of November following, and is now known by the name of Hampden-Sidney College. These were bold steps to perform, but Graham and Smith were both men of the highest importance. The connection which Mr. Wallace had with the work of founding these two renowned institutions of learning is one of the most useful passages in his history.

Inasmuch as it had been taken in hand a short while previously, Washington College was in a certain special sense the official institution of the Presbytery. On the 14th of October, at Cub Creek church, a committee had been appointed to raise funds for its benefit. That committee was composed of the following members: "The Rev. Messrs. John Brown, David Rice, Samuel Cummins, William Irvin, and Caleb Wallace." (Foote, 1, 442.) Mr. Brown was expected to ask for subscriptions in the Pastures, Providence, and

North Mountain churches; Mr. Rice in Botetourt on the south side of James River; Mr. Cummins in Fincastle; Mr. Irvin at Tinkling Spring, the Stone meeting-house, and Brown's settlement; Mr. Wallace in the Forks of James River, and Mr. Smith at pleasure. Wallace was assigned to the Forks of James River because that was the church where resided his father-in-law, Mr. Samuel McDowell. The exertions of the clergy on behalf of Washington College, then called by the name of Liberty Hall, were every way unsatisfactory. At the meeting of Presbytery in April, 1775, the committee were discontinued, and certain persons residing in each of the places designated above were desired to aid the cause by taking subscriptions for its advantage. (Foote, 1, 443, 444.)

On the contrary, after receiving his appointment by Presbytery under date of the 9th of November, the Rev. Samuel Stanhope Smith devoted every energy to the establishment of the institution in Prince Edward County. The business of obtaining subscriptions was pressed so rapidly among the churches of Cumberland, Prince Edward, and Briery, that by the 1st of February, 1775, it was perceived that as much as thirteen hundred pounds were in sight. The moderator being apprised of this extraordinary condition of affairs, called a Presbytery *pro re nata*. That meeting was begun on the 1st of February, 1775, and, like the one of the preceding October at Cub Creek, it proved to be an important session. It was held at the house of Capt. Nathaniel Venable in Prince Edward. Mr. Sankey, of the Buffalo church, was elected moderator; but having desired leave to return home on the 3d of February, the Rev. David Rice was chosen to occupy the chair in his place. Mr. Wallace acted as secretary. Dr. Foote says, "This meeting of the Presbytery appears to have been one of those very important ones whose influence extends to coming generations, and whose actions with the actors ought to be remembered through all time." (Foote, 1, 396.)

The name of Prince Edward Academy was bestowed upon the new institution. It was ordered that the sum of four hundred pounds should immediately be laid out for the purchase of books and apparatus. Mr. Smith was formally chosen to the office of rector, and provisions were made for the appointment of suitable teachers in addition. Last, but not least, the academy was located at "the head of Hudson's Branch, in Prince Edward County, on a hundred acres of land given for the use by Mr. Peter Johnson."

The board of trustees chosen on this occasion to manage the interests of the academy consisted of the following gentlemen: Rev. Messrs. Richard Sankey, of Buffalo; John Todd, of Louisa; Samuel Leake, of Albemarle, and Caleb Wallace, of Cub Creek, together with Mr. Peter Johnson, Col. Paul Carrington, Col. John Nash, jr., Capt. John Morton, Capt. Nathaniel Venable, Col. Thomas Read, Mr. James Venable, Mr. Francis Watkins, and the superintendent *ex officio*. The next year other names were added to the board, as follows: Rev. David Rice, Col. Patrick Henry, Col. John Tabb, Col. William Cabel, and Col. James Madison, jr. (Foote, 1, 397.)

By his removal to the other side of the Blue Ridge in the year 1779, Mr. Wallace was no longer situated within the territory that had been assigned by nature and by the Presbytery to Hampden-Sidney College, but his name was suffered to keep its place in the list of trustees until the year 1782. On the 24th of October of that year it was dropped out. But what was his loss on the south side of the mountain turned out to his advantage on the north side, where he was now resident within the territory assigned to Washington College. On the same 24th day of October, 1782, on which his name was omitted from the Board of Trustees for Hampden-Sidney College it was by a vote of Presbytery included

among the trustees of Washington College. The board of trustees appointed by the Presbytery for the latter institution was as follows: Rev. Messrs. Caleb Wallace, Edward Crawford, Samuel Doak, Archibald Scott, John Montgomery, James McConnell, Benjamin Erwin, William Wilson, and Messrs. Andrew Moore, John Wilson, John Leyle, James Trotter, Archibald Stewart, Joseph Walker, and William Alexander.

Considerable changes were made in the foregoing list when it was produced to the House of Delegates at Richmond for the purpose of procuring the incorporation of Washington College. In that instrument the names of the trustees were as follows: Rev. William Graham, rector; Arthur Campbell, William Christian, Andrew Moore, William Alexander, Joseph Walker, Alexander Campbell, John Wilson, John Trimble, John Hays, John Bowyer, Samuel McDowell, George Moffit, William McKee, James McCorkle, Samuel Leyle, Archibald Stewart, Rev. Messrs. Caleb Wallace, John Montgomery, and William Wilson. (Foote, 1, 458.) The petition for incorporation was first entered on the 24th of November, 1782. (Journal of the House for October Session of 1782, p. 34.) It was exposed to various fortunes and misfortunes until Friday, December 13th, at which time it passed the House by a vote of 55 to 19. Caleb Wallace had already effected his removal to Kentucky.

The fact that his name stood so prominent among the clerical members of the earliest board of trustees operated to induce Mr. Hugh Blair Grigsby to include an account of his life in the collection of sketches of the founders of Washington College which he presented in an address delivered on the 22d of June, 1870, in the college chapel.

It is rarely given to any one person to be so intimately connected with the organization and first struggles of two such renowned seats of learning. As long as these shall exist there will be occasion to remember the exertions that were made by Mr. Wallace on behalf of both of them.

Now that the present recital has been brought down to the close of his career as a Christian teacher, it may be in order, before leaving this portion of the subject, to supply a list of some of the men whom Mr. Wallace was accustomed to encounter familiarly on the floor of the Presbytery of Hanover. Among these were such worthies as John Todd, John Brown, David Rice, James Waddell, Samuel Leake, William Irvin, William Wilson, Samuel Doak, Benjamin Erwin, and John Montgomery, to say nothing of the large number of ruling elders who often occupied positions of honor and trust both in the Church and in the State.

APPENDIX I.

THE CHRISTIAN FAMILY.

The Christian family, with which Caleb Wallace formed an alliance through his second wife, is by general consent allowed to be of Scottish extraction. Originally the name was written McChristen, and later McChristian, but the first syllable fell into disuse during the seventeenth century. Wigtonshire is mentioned as the portion of Scotland where the name was earliest known, but it is likely that has chanced merely because Wigtonshire lies next to the Island of Man, where the Christians first attained to historical distinction, and it must have been the point from which they emigrated to reach the island. From the Isle of Man it appears that a branch of the Christian clan founded a home in the county of Cumberland in the north of England, which lies about as near to Man on the one side as Wigtonshire does on the other side.

The first authentic history of the Christians is believed to begin with the fifteenth century, when they were already people of influence in the Isle of Man. The following notices of them are taken from Hutchinson's History of Cumberland County, England, vol. 2, pp. 146, f f, and from other sources that are mentioned in their places:

"Genealogical Table of the Family Christian. William McChristen, of the Isle of Man, was a member of the House of Keys at Tynwald Court, held in that island Tuesday next after the Feast of St. Bartholomew, 1422, as per record."

In explanation of the meaning of the above statement the following extract may be consulted:

"The Isle of Man has (from time immemorial) been governed by its own laws, made and enacted by the three Estates of the Island, viz:

"The King or Lord.

"The Governor and Council.

"The Twenty-four Keys, or Taxiaci, as the representatives of the inhabitants of the Isle.

"These estates when assembled are called a Tynwald Court, and their triple concurrence establishes the law, which has force after it has been proclaimed from the Tynwald Hill." (Cummins, Isle of Man, London, 1848, pp. 275, 276.)

Returning to the authority of Hutchinson, it is further reported by him that

"John McChristen, son of William McChristen, was feasted at Altdale, in the Parish of St. Trinity in the Isle of Man.

"John McChristen, the son of John, was Deemster of that Island, and Justiciarius Regis cum Johanne Moore, 1502, 1505, and 1509, as per record."

Cummins further remarks that "the Deemsters are the first popular magistrates, the supreme judges in all civil courts, whether for life or property. The office is of the highest antiquity. It is uncertain whether their name is derived from *to deem* or *to doom*. Formerly, before the laws were written, in all new and emergent cases they were called in to declare what the law was, and the laws so declared were named Breast-laws." (Isle of Man, p. 276.) There were two of these Deemsters, one acting in the northern and the other in the southern section of the island. For that reason the name of John Moore, his fellow Deemster, is given in connection with that of John McChristen above.

John McChristen, the Deemster, had nine children, as follows:

"John McChristen, of Milntown, in the Parish of Kirk Maughold in the Isle of Man, which seat he purchased of — Twaites, was Deemster of that Island with Thomas Norris, 1511-1512, 1516-1517, 1520-1521, and first put the monks' laws in writing. He was entered by the Homage Jury on the manorial records for the estate of Milntown, 1511, probably on the purchasing of it. Living also cum Willo. fil. suo 1524, ut per Lib. Affed.

"Daniel McChristen, of Baldroma, in the Par. of Kirk Maughold, 2d son.

"Daughter, married Garret of Ballabroay, in the Parish of Kirk Christ.

"Six other daughters.

"John McChristen, the eldest son above, married — —, daughter of — Skillicome, of Prus Hall, County of Lancaster, and had six children, of whom the eldest was William McChristen, of Milntown aforesaid, Deemster at the same time with his father, mentioned with his father in the Lib. Affed., 1512, and was entered on the manorial records of the estate of Milntown, 1527, probably on the death of his father; ob. circa 1535.

"Ewan or Huan McChristian, son and heir of William, was a member of the House of Keys, 1532; mentioned with his father in the manorial record, 1535, and succeeded his father in the estate that year; ob. circ. 1539.

"His wife is mentioned in the Lib. Affed. taken at Peele, along with William her son, in the years 1539 and 1554.

"William McChristian, son and heir of the preceding pair, was entered by the Homage Jury, 1539, on the manorial records; is mentioned with his mother in the Lib. Affed. in that year and 1554; ob. 1568.

"William McChristian, of Milntown, son and heir of William, is entered by the Homage Jury on the manorial records, 1568, probably on the death of his father. Entered also in the Lib. Affed. taken at Peele in 1569, 1575, and 1577; ob. 1593. His wife was a daughter of Culwen of Clifton in County Cumberland. They had three children, of whom the eldest was Ewan Christian, of Milntown aforesaid, only surviving son and heir, born 1579, made Deemster of the Isle of Man when 26 years of age, 1605, and enjoyed the office forty-eight years; was Deputy Captain of Peele Castle in 1649 under Sir Foulke Hounckes, Knt.; succeeded his father in 1593 as per return of the Homage Jury; ob. cir. 1653. This Ewan appears by the Lib. Affed. to be the first of the family who omitted the adjunct *Mac* from the surname."

Dr. Cummins (Isle of Man, p. 279) represents that this Ewan Christian was governor of the island in the year 1634. There was at the same time an Edward or Edmund Christian, who was governor of the island in the year 1628 (Cummins, p. 279), and he is in

some peril of being confounded with the aforesaid Ewan, although it is clear they were different persons, and belonged perhaps to collateral branches of the family. Hutchinson gives no account of Edward. Feltham, in his *Tour Through the Island of Man* in 1797 and 1798, p. 161, presents the following entry from the register of Maughold Parish:

"Edmund Christian, who was sometime captain at sea, and afterwards for a time Governor of the Isle of Man; he departed this life in Peele Castle, being a prisoner there for some words spoken against the King, when the great difference was betwixt the King and Parliament. He was committed by James, Earl of Derby, being then in this Isle, and John Greenhaugh, Governor. He was buried Jan. 22, 1660, in Kirk Maughold, where he was baptized."

Peele Castle is in German Parish. It is situated on a small island that is separated from the Isle of Man by a narrow channel of the sea. The John Greenhaugh whose name is given above was governor from 1640 to 1651. It is possible that Edmund Christian was retained a prisoner at Peele Castle until 1651, at which date the island was threatened and captured by the fleet and armies of the Parliament. Christian may have been executed in revenge for James, Earl of Derby, the Lord of the Isle, who had been put to death by the forces of the Parliament in October, 1651.

Ewan Christian above, who was governor of the island in 1634, married a daughter of Harrison of Hestholme in the Field, County Lancaster, and had a number of children, of whom the eldest son was John Christian, of Milntown, born the 1st of August, 1602; married 31st August, 1622; constituted assistant Deemster to his father in his absence by special warrant of the Lord Proprietor. He was living in 1643. His wife was Margaret, daughter of John Parker, of Bradkirk, in the Parish of Kirkham, County Lancaster; ob. 10th February, 1661-'62.

Another branch of the family, which at that time was resident in the Parish of Ronaldsway, was also decidedly prominent. The head of the Ronaldsway Christians was Capt. William Christian, to whom the Earl of Derby committed the defense of the island and of his Countess Charlotte when he quitted Man to join the standard of King Charles in 1651. (Cummins, p. 298.) A deal of contumely has been heaped upon the memory of this person because he surrendered the island to Col. Duckenfield and the Parliamentary troops. The countess had betaken herself to Castle Rushen, and vowed that she would hold out to the bitter end. The conduct of Capt. Christian, however, was not unworthy of a soldier. The Earl of Derby, in the last letter that he wrote to his countess, sent her the following advice:

"The governor of this place, Col. Duckenfield, is general of the forces which are now going against the Isle of Man; and however you might do for the present, in time it would be a grievous and troublesome thing to resist, especially those that at this hour command the three nations; wherefore my advice, notwithstanding my great affection to that place, is that you would make conditions for yourself and children and servants and people there, and such as came over with me, to the end you might get to some place of rest, where you may not be concerned in war, and, taking thought for your poor children, you may in some sort provide for them." (Cummins, p. 296.)

If Capt. Christian chose, with all the lights before him, to obey the advice of the earl instead of the commands of Countess Charlotte, that is no sufficient reason why his conduct should be denounced as a betrayal of the countess. Nevertheless the countess could never forgive Capt. Christian. After the return of the king she procured his execution. She could never forgive the king, on the other hand, because he would not consent that the estates of Capt. Christian in Ronaldsway Parish should be permanently confiscated. Christian was governor of the island from 1656 to 1659. After that date the name does not appear in the list of governors.

Having brought the history of the family down to the Restoration, it will hardly be required to pursue it farther in this place. Those who are more specially interested may be referred to the pages of Hutchinson and to various works on the Isle of Man, as also to Griffin C. Callahan, Esq., of Philadelphia, to whom I owe many thanks for the favors he has bestowed upon me in my efforts to collect the materials that have been set down above.

APPENDIX II.

CAPT. ISRAEL CHRISTIAN.

The Christians are a prolific stock. They exist in large numbers in almost every one of the seventeen parishes of the Isle of Man. They are found in the northern counties of England, in the southern portions of Scotland, and in nearly every other quarter of the world. It is not surprising, therefore, that they should have been represented in Ireland. Nothing definite has been transmitted relating to the circumstances of their removal to Ireland, but they are believed to have come from Man to Londonderry.

After Capt. Christian, of Ronaldsway, had surrendered Man into the hands of Col. Duckenfield in November, 1651, it was to be expected that he should hear the reproaches of the Countess Charlotte and her friends. Considering the situation in which he was now placed, it was henceforth a natural policy for him to lean toward the side of the Parliament. It was clear that if the Derbys should ever again be restored to their authority in the island he must suffer at their hands. He enjoyed the special confidence of Cromwell, and in the year 1656 was created governor of the island. The step by which he assumed the duties and honors of that station would render impossible any kind of compromise between Christian and the House of Stanley.

In due course of time, when the countess, having returned to power, proceeded to the execution of Capt. Christian, the event produced a decided impression. He is still regarded as a kind of hero of the island. In the publications of the Manx Society a volume has been devoted to his history, under the title of "Illiam Dhôme and the Manx Rebellion, 1651; Records Relating to William Christian, of Ronaldsway, by W. Harrison." In view of the cloud which for a season would hang about the name, it is conceivable that certain of the sons or other kindred of Capt. Christian should have found their way to the Presbyterian colony at Londonderry in the north of Ireland. Possibly that removal was performed by the grandfather of Israel Christian, who is believed to have been the father of Gilbert Christian, one of the earliest settlers of Augusta County, Virginia. Certain authorities affirm that these persons were first cousins, but there is better reason to believe that Israel was a nephew of Gilbert's.

Gilbert Christian, his wife, Margaret Richardson, together with three sons, John, Robert, and William, and one daughter, Mary Christian, landed at Newcastle, Penn., in the year 1726, and shortly proceeded to the region in which Lancaster is now situated. In 1732 Gilbert Christian and his family removed from Pennsylvania and settled in the Valley of Virginia, near the spot where Staunton now stands. They were among the first settlers on the ground. Christian Creek, where they established themselves, a few miles east of Staunton, was already known by that designation as early as the year 1736. When Beverly's Grant was being laid off in that year, familiar mention was made in the survey of "Christie's Creek." Though the name was spelled a trifle amiss, the creek and name were even then among the familiar landmarks of the country. (Waddell, p. 15.) It was

scarcely many days after the arrival of John Lewis before Gilbert Christian and his household showed themselves. Some of the descendants of Robert Christian still own a portion of the original tract of fourteen hundred and twenty-six acres that was assigned to the family in Beverly's Patent.

Gilbert Christian and his people flourished famously in the new world. The father himself was too far advanced in life to leave behind any very distinct impression, but his sons were all men of worship. John Christian, the eldest of them, shortly married Margaret Wilson. In 1741 he is mentioned along with James Patton, John Finley, George Hutchison, and Alexander Breckinridge as one of the trustees of the church at Tinkling Spring. (Waddell, p. 21.) Himself, James Patton, and John Buchanan were the earliest tax collectors of Augusta. (Waddell, p. 22.) He was also one of the first magistrates of the county and a member of the first vestry that was elected for the parish. (Waddell, p. 32.)

Glowing accounts of the prominent position which the Christians occupied in the Valley of Virginia would be sent back to Israel Christian in Ireland. If he was living at Londonderry when his relatives quitted the mother country in 1726, he had by the time in question drifted as far as Dublin City, where there is a sort of indistinct and perhaps unreliable tradition that he was engaged in the mercantile business. If that were the case, it is hardly likely that he was at the head of an establishment of his own. He was not yet of sufficient age and experience to have amassed any considerable amount of capital, having been born, according to the Wallace family records, in the year 1720. He came to Augusta County, Virginia, in the year 1740, when he was about twenty years of age. There he became a prosperous merchant, prosecuting his business for a number of years in the town of Staunton.

In the year 1741 or 1742 he married Miss Elizabeth Starke, a lady of vigorous and cultivated intellect, who is said to have been related to the Lewis family. Nothing very remarkable appears in connection with this portion of his career except his prosperity in business. He was not so closely identified with religious affairs as his cousin John Christian, although it is certain that he was a staunch Presbyterian in principle. His name is mentioned in 1756 in connection with a council of war, where his cousin William Christian was also present (Waddell, p. 90), at which date he was a captain of horse. (Waddell, p. 91.) In 1759 and again in 1761 he was elected to the House of Burgesses for Augusta County. (Waddell, p. 35.) In the latter year himself and his cousin William figured among the members of the earliest board of trustees of the town of Staunton. (Waddell, p. 108.) In 1763 he took a leading part in the repulse of a body of Indians who had penetrated the country as far as Kerr's Creek. (Waddell, p. 114.)

The date of his removal from Augusta County is not definitely reported. He was a member of the vestry in 1767 (Waddell, p. 130), but his name was dropped at a meeting on the 21st of November, 1769 (Waddell, p. 130), because he "refused to subscribe the doctrine and discipline of the Church of England." It is probable that he went to his new home farther up the Valley shortly after that period. He was appointed one of the justices of Botetourt County at its organization on the 13th of February, 1770. (Waddell, p. 131.) In 1771 or 1772 he made a present of forty acres of land for the site of a county town in Botetourt. The town was called Fincastle. (Waddell, p. 132.)

At a later period he removed to a point still farther up the Valley, and the town of Christiansburg, in the present county of Montgomery, was named in his honor. He died

in the year 1784 on his estate in Dunkard's Bottom, adjoining New River, in the present county of Pulaski, where his grave is still pointed out. His last will and testament is of record at Christiansburg in Montgomery. It was dated the 12th of July, 1784, and was witnessed by Robert Currin, Priscilla Christian, James McCorkle, and Francis Preston. His widow survived him for a number of years.

The accompanying genealogical notices may be given, relating to the immediate family of Capt. Israel Christian :

Israel Christian, born in the year 1720, perhaps near Londonderry, in Ireland, immigrated to Augusta County, Virginia, in the year 1740, and in 1741 or 1742 married Miss Elizabeth Starke.

Their children were, first, Col. William Christian, born in the vicinity of the place where Staunton is now situated, in the year 1743. He was killed near the spot where Jeffersonville, Indiana, now stands, on the 9th of April, 1786, aged forty-three years. He married Anne Henry.

2d. Annie, born near Staunton about 1744. She married Col. William Fleming.

3d. Elizabeth (Starke), born near Staunton about 1746. She married Col. William Bowyer.

4th. Priscilla, born near Staunton about the year 1748. The Wallace records affirm that Priscilla Christian died unmarried when she was about eighteen years of age. She was bridesmaid at the marriage of a certain Mrs. Howard, about the year 1766, and went with her on her bridal visit to the Eastern Shore of Virginia. While there she took a fever and died before tidings of her illness could reach her friends. Her youth and beauty and sudden death under these somewhat romantic circumstances made a profound impression upon the family. Priscilla Christian has not failed to be honored with a namesake in any branch of the connection. She probably made more of life by means of her early death than if it had been given her to pass through the entire course of her years.

5th. Mary, born near Staunton about the year 1750. She married Col. Stephen Trigg.

6th. Rosanna, born near Staunton in the year 1754, and died in Woodford County, Kentucky, in the year 1804, aged fifty years. She was the second wife of Caleb Wallace.

Of the family of Gilbert Christian, assumed above to be the uncle of Israel Christian, the genealogical record has been sufficiently well preserved :

John Christian married Margaret Wilson; Robert Christian married Isabella Tiffens, of Winchester, Va., where at the time of his marriage he was serving in the character of a recruiting officer (Peyton, History of Augusta, p. 314); William Christian married Mary Campbell, who was an aunt of Col. William Campbell, the chief in command at the battle of King's Mountain; Mary Christian married Col. George Moffet. An account of the children of George Moffet and Mary Christian has already been given in the Appendix at the close of Book the First.

APPENDIX III.

COL. WILLIAM CHRISTIAN.

This gentleman, with whom Caleb Wallace became intimately connected by marrying his youngest sister, requires special attention in the present connection, inasmuch as one of the leading counties of Kentucky has been named for him. As has been shown above, he was the only son and the oldest child of Israel Christian, having been born near Staunton in the year 1743. His training was had in the severe school of the pioneers, and he early became inured to the use of arms. He entered the military service, and already, before he was of age, had reached the dignity of captain in the Second Virginia Regiment, commanded by Col. William Byrd, of Westover. That fact has been affirmed by Collins in his *History of Kentucky*, vol. 2, p. 127. It is confirmed by a document in the Virginia State Papers addressed to the Hon. Wm. Nelson, Esq., President of His Majesty's Council, and the rest of that Honorable Board. It bears date May 8, 1772, and is entitled "The Petition of William Byrd, Samuel Meredith, James Walker, and William Christian, which Humbly Sheweth, That your Petitioner, Col. Wm. Byrd, served his Majesty during the late war as Colonel of the Second Virginia Regiment, and that your Petitioners, Samuel Meredith, James Walker, and Wm. Christian at the same time served as Captains in the said Regiment; that by the Royal Proclamation, dated at St. James the 7th day of October, 1763, your petitioners conceive themselves entitled to take up and obtain Grants for the respective quantities of land proportioned to their rank as officers, as by the said Proclamation, reference thereunto had, may appear; that your Petitioners have not been able to locate the Lands so designed for them as aforesaid, by reason of the restriction in the said Proclamation Contained on the several Governors on this Continent from giving patents or warrants of survey for any unceded lands reserved for the Indians. By which means the Royal Bounty intended your Petitioners hath been withheld from them. Your Petitioners therefore humbly pray that out of the lands lately ceded by the Indians, &c., &c., they may be permitted to take up and obtain warrants for the respective quantities of land following: Wm. Byrd, 5,000 acres; Samuel Meredith and James Walker and William Christian, 3,000 acres each, on the Eastern Bank of Ohio River at the Mouth of Little Kanawha, otherwise called Elk River, &c., &c." (*Calendar of Virginia State Papers*, 1, 265, 266.)

The following report by Collins, vol. 2, 764, may have some kind of connection with the 3,000 acres of land which Col. Christian obtained in reward for his services in the Braddock war. He says:

"In July, 1774, Col. John Floyd, Hancock Taylor, and James Douglas each made official surveys in what is now Woodford County, as assistant or deputy surveyors under Col. William Preston, surveyor of Fincastle County, Va., of which the whole of the existing

State of Kentucky was then a part. Capt. Isaac Hite was with Douglas. Shortly after the date above, Hancock Taylor, while surveying land near the mouth of Kentucky River for Col. Wm. Christian, was wounded by an Indian rifle-ball."

With respect to one of the representations contained in the above petition, it may be allowed to state that Capt. Christian is not mentioned in that character in the list of officers who accompanied Col. Byrd and the Second Regiment on the expedition to capture Fort Duquesne in 1758. At that time he was only fifteen years of age. He must have joined Byrd several years afterward, and before the close of the war in November, 1762.

After concluding his period of military service Capt. Christian went to Hanover to study law under Patrick Henry, who already was attracting much attention. One of the results of this enterprise was, that he became a brother-in-law of Mr. Henry by the marriage of his sister, Anne Henry. The date at which that union occurred is not stated, though it was likely as early as the year 1765.

By the year 1774 Capt. Christian had attained to the distinction of Lieutenant Colonel of the Second Virginia Regiment. In June of that year he made a military expedition against the Indians as far as Clinch River, in the present limits of East Tennessee. Taking the field again on the 12th of August, 1774, he was in service in connection with the Battle of Point Pleasant on the 10th of October, 1774, where he commanded a battalion composed of the companies of Captains Evan Shelby, William Russell, and Harbert, from Washington, and of Capt. Buford, from Bedford County; but they failed to reach the scene of action until the fight had been concluded.

In the month of July, 1775, Col. Christian was elected by the Convention to be Lieutenant Colonel of the First Virginia Regiment, which had just then been raised to resist Governor Dunmore. Patrick Henry was the colonel and Mr. Spotswood the major of that regiment.

In January, 1776, the First Regiment and five others from Virginia were received into the Continental Line, at which time the Continental Congress re-elected Henry and Christian to the positions which they had previously occupied. For some reason that has hitherto remained without explanation, Henry declined, about the 1st of February, 1776, to accept the position of colonel in the Continental service. The officers of the regiment, as soon as his purpose had been declared, presented him an address, in which they speak of his "spirited resentment of a most glaring indignity" (Burk, History of Virginia, vol. 4, 108); but it has never been declared just what was the color of that indignity.

A dinner of state was immediately given in honor of Henry at the Raleigh Tavern in Williamsburg, at the close of which the troops gathered around the building in a mutinous fashion and called for their discharge on the ground that they had not enlisted to serve under any other person than Patrick Henry. This tumult rendered the situation somewhat more grave than a patriot could easily desire. Col. Henry found it necessary to delay the date of his departure from Williamsburg until he could succeed in quieting the troops, an enterprise in which he was actively seconded by Lieut. Col. Christian.

On the 18th of March, 1776, Christian in his turn was elected to fill the position that had been left vacant through the resignation of Henry. (American Archives, Fourth Series, vol. 5, 105.) That compliment on the part of the Continental Congress was doubt-

less appreciated by Col. Christian, but the place to which he was chosen was not long retained. Brig. Gen. Andrew Lewis, in a letter to the President of Congress, which was presented to that body on the 22d of August, 1776, says: "Since I wrote by General Mercer, Col. William Christian, who commanded the First Battalion, has resigned." (Am. Archives, Fifth Series, 1, 1053.)

The purpose which moved him to this act of resignation was that he might take command of an independent expedition composed of twelve hundred men that was sent against the Cherokee Indians. On the 14th of October, 1776, the House of Delegates in session at Williamsburg received dispatches from Col. Christian, who was then in the Indian country, in which exact information was supplied relating to the existing condition of his command. On the 29th of November further dispatches were received, to the effect that Christian had returned from his expedition, and laying before the authorities detailed information respecting the treaty that he had effected with the Cherokee. (American Archives, Fifth Series, vol. 3, 902.)

There were numbers of Tories in the western section of Virginia, and when occasion appeared to favor them during the war they were much inclined to become insurgent. By consequence, when the above expedition had come to a close, Col. Christian took service in the militia, where he was useful in keeping down such perilous demonstrations for the balance of the lengthy struggle. It is suspected that he was a member of the Virginia Senate in the May term of the year 1781; at any rate there were frequent occasions on which the House of Delegates received messages from the Senate "by Mr. Christian." That circumstance renders it not impossible that he was the person indicated in the citation from Peyton's History of Augusta County, p. 204, as follows:

"In this bitter hour of defeat, when the House of Delegates was in session at Staunton in June, 1781, one of the members, recalling the history of Rome, who, when torn with intestine strife and deluged with blood, put a dictator at her head, suggested the idea of appointing Patrick Henry dictator. It found no countenance with Henry or the members, and one of them, Archibald Cary, meeting Henry's brother-in-law, addressed him with heat in the following terms: 'Sir, I am told that your brother wishes to be dictator. Tell him from me that the day of his appointment shall be the day of his death, for he shall feel my dagger in his heart before the sunset of that day.'"

Col. Christian's place of residence at this period, as it had been for several years before the war, was Mahanaim, in the county of Montgomery, not far distant, it is presumed, from the seat of his father at Dunkard's Bottom in the same county. Here, about the 1st of February, 1781, he was appointed by Gen. Nathaniel Greene at the head of a commission to treat with the Cherokee Indians, the other members of the commission being William Preston, Arthur Campbell, Joseph Martin, Robert Lanier, Evan Shelby, Joseph Williams, and John Sevier. (Calendar Virginia State Papers, 2, 199.)

After the defeat at Blue Licks on the 19th of August, 1782, he proposed to the Governor of Virginia to raise a thousand men in the back parts of Virginia for the defense of Kentucky. (Cal. Va. State Papers, 3, 331-333.) In January, 1783, he also proposed to the Governor the project of building a gunboat on the Ohio for the purpose of fighting the Indians to better advantage. "At Limestone," he says, "or Licking would be a proper

station for an armed vessel to cruise from up and down the river. But it ought to be light and manageable for twenty or thirty men, which number, in a properly constructed vessel, would be strong enough to attack any number of Indians in canoes." (Cal. Va. State Papers, 3, 4, 425.)

A circumstance that has hitherto been overlooked may be worthy of mention in this connection. It relates to the fact that Col. Christian was appointed to be County Lieutenant for Jefferson County in the year 1780. A letter from Col. John Floyd to the Governor of Virginia, dated Jefferson, Ky., January 15, 1781, that has been preserved in the Virginia State Papers, bears directly upon the point in question. Col. Floyd says: "My want of knowledge and experience in the Military Department will, I fear, cause me to be more troublesome to Your Excellency than is necessary or than I should wish to be. And as the County Lieutenant may probably not come out for some time to take the command, and as numbers of people are daily removing themselves into the interior parts of the country for safety, it will be highly necessary to adopt some measure early in the spring for the protection of our frontier. I would therefore beg Your Excellency to give me a few general instructions, by which I may regulate my conduct till Col. Christian comes out." (Calendar of Va. State Papers, 1, 437.)

Another letter to the Governor of Virginia, relating to the same business, is from no less a personage than Gen. George Rogers Clark. It is dated Richmond, January 21, 1781, and is expressed in terms about as follows: "Excuse the liberty I take in writing to you on a subject that you might think would not concern me so much as it really does. As part of my forces will be from Kentucky, the appointment of the County Lieutenants is an object worthy of attention. I this day learnt that Col. Christy hath resigned the Lieutenancy of Jefferson County. I would beg leave to recommend to you Col. John Floyd, an Inhabitant of the County, as a gentleman that I am convinced will do honor to the appointment, and known to be the most capable in the County, a Soldier, Gentleman, and a scholar whom the Inhabitants from his actions have the greatest confidence in. I hope, Sir, that you will not put any unfavorable construction on this letter, and beg to subscribe myself Your Very H'ble Servant." (Cal. Va. State Papers, 1, 452.)

By the close of the year 1776 Col. Christian had acquired a number of claims on the Government in consideration of his services as a military commander. These claims had been discharged by means of warrants for land in the public domain. Three of them, each calling for one thousand acres, had been granted by Lord Dunmore for services performed in the Braddock war. (Cal. Va. State Papers, 1, 288.) Others had doubtless been conveyed for services at the Battle of Point Pleasant in October, 1774, and possibly for the expedition against the Cherokees in the autumn of the year 1776. It is believed, from an expression occurring in a deposition that was made by Col. Christian in June, 1777, that all of these warrants were located in Kentucky during the first six months of that year. Certainly the one at the mouth of Salt River was entered then, and perhaps the others. This opinion is in part confirmed by the circumstance that all the holdings of Col. Christian were entered in the county of Kentucky, which was organized by the Legislature on the 31st of December, 1776, and dissolved in the year 1780, the three counties of Jefferson, Lincoln, and Fayette being organized out of its territory. Christian is suspected to have visited Kentucky during the first half of the year 1777 for the purpose of making these entries. They stand as follows on the records of the Land Office at Frankfort:

1,000 acres located in Kentucky County.
2,000 acres located in Kentucky County.
3,000 acres located in Kentucky County.
1,000 acres located in Kentucky County.
1,000 acres located in Kentucky County.
1,000 acres located in Kentucky County.

It was natural that as speedily as might be convenient after the close of the war Col. Christian should have been solicitous to turn his steps toward Kentucky. He would have gone at an earlier date, when he was appointed Lieutenant of Jefferson County in 1780, and again when he was appointed at the head of the Committee for Western Expenses in October, 1781, but for imperative considerations that kept him at home. (Cal. Va. State Papers, 2, 540, 541.) The death of his father, Capt. Israel Christian, occurred in July, 1784, and Col. Christian, being named as the executor of his estate, was detained some length of time by the business of that engagement. He was also one of the guardians of his nephew, Charles Campbell, the son of Gen. William Campbell of King's Mountain fame (Journal Oct. Term, 1782, p. 30), and a member of the Council of State (p. 36). At last he got ready in the spring of the year 1785, and laid his journey toward the place which it had long been his purpose to make the scene of his permanent residence.

A letter contained in the Manuscript Collection of Col. R. T. Durrett, and dated at Mahanaim the 13th of April, 1785, abounds with notes of preparation for the journey that was shortly to be entered upon. It is of interest as being one of the last documents that its author composed in his Virginia home. He is supposed to have arrived in Kentucky sometime during the progress of the following month.

In the autumn of 1785 his house was strengthened by an important nuptial alliance. Priscilla Christian, the eldest daughter, was married to Alexander Scott Bullitt, a native of Prince William County, Virginia, and a son of Cuthbert Bullitt, who was a lawyer of note and a Judge of the Virginia Court of Appeals. Young Bullitt was born in the year 1761. He was a member of the House of Delegates in 1783 (Journal for May Term, 1783, p. 21), and came to Kentucky in the year 1784, settling first within the limits of Shelby County, and afterward removing to Jefferson County.

It is suspected that Col. Christian was visited with premonitions of his early decease. On the 13th of March, 1786, he made his last will and testament. On the 9th of April following, just three years lacking three days after the death of Col. Floyd, whose place he was best of all suited to supply, his own decease occurred. A small body of Indians, having crossed the Ohio, had committed depredations on the property of the settlers in the vicinity of Sturgus' Station, which was situated on Christian's estate, and where perhaps Bullitt and Christian were wont to take refuge in case of sudden attacks by the wily foe. Collecting a party of eight or ten men, Col. Christian pursued these marauders beyond the river. Two of them were overtaken about a mile north of the site where Jeffersonville, Ind., now stands, and, finding escape impossible, they turned upon the pursuers to sell their lives as dearly as they could.

"One of them fired upon Col. Christian, who was foremost in the pursuit, and mortally wounded him. Next to Col. Christian were his son-in-law, Alexander Scott Bullitt, and Col. John O'Bannon, who fired simultaneously, bringing both of the Indians to the

ground. Under the impression that they were both dead, a man by the name of Kelly incautiously approached them, when one of them, though mortally wounded, still retaining some strength and all his thirst for blood, raised himself to his knees, and, firing with the rifle which had not been discharged, killed Kelly and fell back and expired." (Collins' History of Kentucky, 2, 106.)

The following letter, addressed by Governor Henry to his sister on this mournful occasion, is one of the most touching productions of his pen :

"RICHMOND, May 15, 1786.

"I am at a loss how to address you, my dearest sister. Would to God I could say something to give relief to the dearest of women and sisters. My heart has felt in a manner new and strange to me, insomuch that while I am endeavoring to comfort you I want a comforter myself. I forbear to tell you how great was my love for my friend and brother. I turn my eyes to heaven, where he is gone, I trust, and adore with humility the unsearchable ways of that Providence which calls us off this stage of action at such time and in such manner as its wisdom and goodness directs. We can not see the reason of these dispensations now, but we may be assured they are directed by wisdom and mercy. This is one of the occasions that calls your and my attention back to the many precious lessons of piety given us by our honored parents, whose lives were indeed a constant lesson and worthy of imitation. This is one of the trying scenes in which the Christian is eminently superior to all others, and finds a refuge that no misfortune can take away. To this refuge let my dearest sister fly with humble resignation. I think I can see some traces of a kind Providence to you and the children in giving you a good son-in-law, so necessary at this time to take charge of your affairs. It gives me comfort to reflect on this. Pray tell Mr. Bullitt I wish to hear from him and to cultivate an intimacy with him, and that he may command any services from me. I could wish any thing remained in my power to do for you or yours. And if at any time you think there is, pray let me know, and depend upon me to do it to the utmost. I need not tell you how much I shall value your letters, particularly now, for I am anxious to hear from you, and how every thing goes on in your affairs. As so few of our family are left, I hope we shall not fail to correspond frequently. It is natural for me to increase in affection to the survivors as the number decreases. I am pained on reflecting that my letters always are penned as dictated by the strongest love and affection to you, but that my actions have not kept pace. Opportunity's being wanting must be the excuse. For indeed, my dearest sister, you never knew how much I loved you and your husband. My heart is full. Perhaps I may never see you in this world. O may we meet in heaven, to which the merits of Jesus will carry those who love and serve him. Heaven will, I trust, give you its choicest comforts and preserve your family. Such is the prayer of him who thinks it his honor and pride to be

Yr. Affct. Brother,

"P. HENRY."

The stout hero was laid to rest at his seat called Oxmoor, a few miles from Louisville, on the Beargrass. The following inscription may be read upon his tomb :

"Col. William Christian was killed in an action with the Indians, April 9, 1786, aged 43. This monument was erected to his memory by the filial piety of his son, John Henry Christian, who died Nov. 5th, 1800, aged 19."

The present sketch may appropriately be concluded with a few genealogical notices of Col. Christian's family.

William Christian was born near Staunton, Va., in the year 1743. He married Miss Anne Henry, a sister of Patrick Henry, about the year 1765. There were born to this couple six children, five daughters and one son, precisely the same number and precisely the same way distributed as in the family of Israel Christian.

Their eldest daughter and child was born about the year 1766, and, inasmuch as the minds of the household were then much affected by the recent death of Priscilla Christian, she received, in honor of her aunt, the name of Priscilla. This daughter married Col. Alexander Scott Bullitt in the autumn of the year 1786, from which union have descended many of the Bullitts of Kentucky.

The second child was called Sarah Winston Christian, as a compliment to Sarah Winston, the mother of Patrick Henry. She married Dr. Walter Warfield, of Lexington, Ky., and left issue. Among these may be mentioned the Rev. William Christian Warfield, a Baptist minister, of Christian County. A biography of him may be found in Spencer's History of Kentucky Baptists, vol. 2, pp. 369-371. He died November 3, 1835, and left descendants in Christian County. William Christian Warfield, perhaps a son of the preceding, is said to be a practicing physician in that portion of the country at the present time.

Another son was named Charles Warfield, who died of consumption at the residence of his cousin, Samuel McDowell Wallace, in Woodford County, about the year 1830.

There was a daughter named Anne Warfield, who also resided with Samuel McDowell Wallace for a number of years. She married Mr. Blair, and left three children, two boys and one girl. The boys both died of consumption in South Carolina, whither they went for the benefit of their health, and were buried at Lawtonville. The daughter likewise died unmarried.

The third child of Col. Christian was named Elizabeth Bowyer, in compliment to her aunt, Elizabeth Starke Christian, who had married Col. William Bowyer, of Staunton. Elizabeth Bowyer Christian married John Dickinson, of Shelby County.

The fourth child and daughter was Anne Henry, named in honor of her mother. She married Gen. John Pope, one of the most distinguished statesmen of the early days of Kentucky, and left issue.

The fifth child was John Henry Christian, called in honor of his grandfather, John Henry, the father of Governor Patrick Henry. He was born in the year 1781, and died unmarried November 5, 1800. With his decease the name of Christian in this branch of the family became extinct.

The youngest child was Dorothea Fleming Christian, who is said to have been called in honor of the Flemings, that being the name of Col. William Fleming's mother. She married the Rev. Dr. James Fishback, of Lexington, and left no issue. He was a Baptist minister, and a person of distinction in his time. A biographical sketch of him may be found in Spencer's History of Kentucky Baptists, vol. 2, pp. 28-30, as also in Ranck's History of Lexington, pp. 309, 310.

APPENDIX IV.

COL. WILLIAM FLEMING.

This gentleman, who married Anne, the eldest daughter of Capt. Israel Christian, deserves to be especially considered both with respect to the influence he exerted on the career of his brother-in-law, Caleb Wallace, and also with respect to the position he once occupied in the affairs of Kentucky and of the Western country.

He was derived from a Scottish family. The Flemings are reported to have come to England with William the Conqueror or some of his successors, but they shortly passed into the more northern kingdom and were long established there. John Fleming had the honor to be in service under Queen Elizabeth. In that capacity it was his good fortune to discover the approach of the Spanish Armada. For his faithfulness and efficiency in that connection he was rewarded by an estate situated in the county of Westmoreland. His descendants were able to retain this possession till sometime after the opening of the eighteenth century, at which time Leonard Fleming, the father of Col. William Fleming, found himself so much involved in his pecuniary affairs that he was obliged to sell his land. That step was taken some years before the subject of the present sketch was born, and Leonard Fleming removed to Scotland, where, with the remnants of his English property and the proceeds of an office that he had contrived to obtain, it was in his power to live with comfort and credit.

Before quitting England he had married Dorothea Satterthwaite, of Ambleside in Westmoreland. The Satterthwaites, Thistlethwaites, and other families of a like nomenclature in Westmoreland profess to be descendants of the Danish invaders who subjugated England before the coming of the Normans. William Fleming was born in Jedborough, Scotland, on the 18th of February, 1729. His classical education was conducted at Dumfries, to which place his father had removed from Jedborough.

After his classical learning had been obtained, young Fleming gave himself to the study of medicine. It is reported that he attended the University of Edinburgh in the character of a student of medicine. The occasion of his quitting Scotland has not been declared with certainty. Peyton, in his *History of Augusta County*, p. 344, says that he was moved by a purpose to utilize his education on a broader field than that of his Caledonian home. On the contrary, a tradition exists in his family to the effect that he served seven years as a surgeon in the British Navy. This, however, is entirely ignored by Peyton, who asserts that Fleming came to Virginia while he was still in his minority. The exact fact is, that he landed at Norfolk shortly after the defeat of Gen. Braddock, on the 9th of July, 1755, when he was in the twenty-seventh year of his age. It is likely that he was too young at this time to have had as much as seven years behind him in the character of a surgeon in the British Navy. Furthermore, it is affirmed that when he came to Virginia he exchanged the naval service for service on land, and enlisted as an ensign in the First

Virginia Regiment; but it is improbable that he would have accepted the humble position of an ensign in case he had previously held the post of a full surgeon in the navy.

While he was in the navy he had the ill fortune to be captured and imprisoned. The hardships of his experience in prison made upon his mind an impression that he was never able to escape. An ugly scar across his nose reminded him of them as long as he lived, and he was reduced to such extremes of hunger that he believed he would have starved but for the compassion of a lady whose windows overlooked the yard in which the prisoners were permitted to walk. In after-life he would never permit a stranger to be turned from his door for fear that some friend of the compassionate Spanish woman might go unrelieved.

It is possible that Col. Fleming, on landing at Norfolk, may have enlisted as an ensign in the First Virginia Regiment of the colonial service, but if that were the case he was speedily released from the engagement. On the other hand, it would appear to be just as likely that he found his way directly from Norfolk to Augusta County. The famous Sandy Creek expedition against the Shawnese Indians was organized by Governor Dinwiddie chiefly from citizens of that county in the beginning of the year 1756. Col. Fleming was already established in Augusta by that date, and figured in the double character of lieutenant and surgeon among the troops who marched on that errand. The following letter from Governor Robert Dinwiddie, directed to Fleming, may be cited in this connection :

“FEB’RY 6, 1756.

“*Sir*: Y’rs of the 17th Jan’ry I have before me. W’t you have done by orders of Colo. Washington you will be supported in, and I shall shew you all the Favo. in Justice in my Power. I refer you to Dr. Gibner, who writes you by y’s Express, and sends you Medicines w’ch I hope will be sufficient for y’s Expedition; and as you act as Surgeon you must be p’d for y’t extra Trouble. I hope Unanimity and good Understanding will prevail among the Men, and show proper Regr to the Cherokees. That Success may attend y’r Expedition is the sincere wish of, S’r, y’r h’ble serv’t.” (Dinwiddie Papers, vol. 2, pp. 335, 336.)

At a later period Fleming appears in the rôle of captain, in which rank he was in service under Gen. Forbes at the capture of Fort Duquesne in the year 1758. Peyton says that he settled in Augusta about the year 1760, and took up large grants of public lands, which, enhancing in value soon after, made him a man of fortune. The lands referred to were likely the well-known seat called Bellmont, near Big Lick, in what was later Botetourt, but now is Roanoke County.

Not far from the date last mentioned he married Anne Christian, the eldest daughter of Capt. Israel Christian, and gave himself to the practice of medicine and to the business of conducting the interests of his extensive landed estate. He was a member of the vestry of Augusta Parish from November 24, 1764, till June 27, 1769. In the year 1762 he had an account against the parish for professional services to paupers amounting to the sum of £15 11s. (Waddell, p. 110.) On the 18th of June, 1764, his oldest child, Leonard Israel Fleming, was born. On the 13th of February, 1770, he was constituted one of the first justices of the county of Botetourt, which was just then being organized. (Wad. 131.) In October, 1774, he commanded the regiment from Botetourt in the

famous battle with the Indians at Point Pleasant, where, as has been previously mentioned, he received serious and painful wounds from which he never fully recovered, and which are believed in the end to have hastened his death. In the month of July, 1775, he was appointed by the First Virginia Convention to be a member of the Commission that was organized to settle the claims which had accrued against the Government by reason of the expedition to Point Pleasant. (Journal of the House of Delegates, July, 1775, p. 49.)

In the Revolutionary War, which followed shortly afterward, Col. Fleming took no arms. He was forty-seven years of age, and a sufferer from serious wounds. But in a civil capacity he performed distinguished labors for the benefit of the country. For example, in the year 1779 was passed the celebrated land law of Virginia which was designed to regulate the claims to landed estate in Kentucky. A commission was required to be appointed and dispatched to the West to provide for the proper execution of the provisions of that statute. This body was composed of William Fleming, Edmund Lyne, James Barbour, and Stephen Trigg. Entering Kentucky, it began its sessions at St. Asaph's, near Stanford, October 13, 1779. The work of the Commission was prosecuted throughout the winter of 1779-'80. Its last session was held at the Falls of the Ohio. Waddell affirms (Supplement, p. 406) that he was also a member of the Continental Congress for 1779-'80, but no proof is supplied to demonstrate the correctness of the statement. It is almost certainly incorrect.

Returning to Virginia, Col. Fleming was elected by the Legislature to be a member of the Council of State under Governor Jefferson, an office to which he appears to have devoted himself with energy. He was much trusted by Jefferson, and at the close of the latter's administration had the honor to do service in the character of Acting Governor until Governor Nelson should be chosen and installed. Mr. Brock says: "Being the only member of Council at Richmond in June, 1781, the remaining members, with Governor Jefferson and the Legislature, having fled before the invasion of the traitor Arnold, Col. Fleming was for a time the Acting Governor of Virginia." (Dinwiddie Papers, 2, 336, n.)

The main point in the above citation appears, from public documents of that day, to be correct; but the Virginia State Papers show that Col. Fleming was Acting Governor only at Staunton. The General Assembly had adjourned in good order at Richmond on the 10th of May to meet again in Charlottesville on the 24th of the same month. It met according to appointment, but on Monday the 4th of June, "there being reason to apprehend an immediate incursion of the enemy's cavalry to this place, which renders it indispensable that the General Assembly should forthwith adjourn to a place of greater security, it was *Resolved* that this House be adjourned until Thursday next, then to meet at the town of Staunton in the county of Augusta." (Journal of the House of Delegates, May Term, 1781, p. 10.)

Quartermaster Stephen Southall complains of a charge that had been raised against himself at this period, to the effect that he had lost "the Arms Ordered for Members of the Assembly," and adds that "after they were arrived there was not a single man that would handle one of them." (Cal. Va. State Papers, June 7, 1781.) It was in this emergency that the courage and efficiency of Col. Fleming were displayed to advantage. The duty of securing the public records being devolved upon him as the only member of the Council of State who was present for duty, he accomplished his task at great personal risk, escaping from Charlottesville just about an hour before Tarleton entered the place.

Arriving at Staunton on the 5th of June, 1781, he was fully employed in the discharge of the duties of the gubernatorial office on the 6th. His first dispatch in the character of Lieutenant Governor is dated at Staunton on the day in question. (Cal. Va. State Papers, 2, p. 144.) It was highly important, in view of the perilous military situation, that numerous prisoners of war confined in Virginia should be removed immediately to a place of safety, and authority was given to Col. James Wood, who had them in charge, to call out the militia, to impress beeves and wagons, and to do whatever might be required to perform the task of conveying the prisoners beyond the limits of the State. (Cal. Va. State Papers, 2, pp. 146, 147.)

On Tuesday, the 12th of June, Thomas Nelson, jr., was duly elected in the place of Governor Jefferson, and it is singular to perceive that the House of Delegates passed a resolution in that immediate connection, to the effect that "at the next session of the Assembly an inquiry be made into the conduct of the Executive of this State for the last twelve months." (Journal for May Term, 1781, p. 15.) Evidently Mr. Jefferson was temporarily under a cloud, but the Legislature at its next session exonerated him from all blame. (Journal, Oct. Term, 1781, p. 37.) Though Governor Nelson was duly chosen on the 12th of June, he did not appear at Staunton to take the oath of office until the 19th of the month. (Cal. Va. State Papers, 2, 173.) The functions of Col. Fleming in the station of Acting Governor were therefore performed from the 4th until the 19th of June, 1781. That was a period of extraordinary anxiety and activity. The most important act of Fleming's administration consisted of calling out the Militia of the Commonwealth under a resolution that had passed the Legislature on the 11th of June in the following terms:

"Resolved, that the members of the Executive Council be desired to call immediately into service as many of the militia as can be properly armed and accoutred." (Journal, page 14.)

The above call was sent forth on the spot. The last letter that came to Fleming before he quitted his position in favor of Governor Nelson was from Abraham Penn, County Lieutenant of Henry County, offering a sort of protest that so many of the militia should be summoned at such an important season of the year. (Cal. Va. State Papers, 2, 173.) On the 23d of June, for the better protection of Col. Fleming in the matter of calling out the militia—

"A motion was made that the House do come to the following resolution: It appearing to the General Assembly that Col. William Fleming, being the only acting Member of Council for some time before the appointment of a Chief Magistrate, did give orders for calling out the militia, and also pursued such other measures as are essential to good government, and it is just and reasonable that he should be indemnified therein.

"Resolved, therefore, that the said William Fleming, Esq., be indemnified for his conduct as before mentioned, and the Assembly do approve of the same." (Journal, page 30.)

Col. Fleming retained his seat in the Council of State till the 28th of September, 1781, on which date he resigned. (Cal. Va. State Papers, 2, 502.)

On Thursday, the 21st of June, 1781, "a motion was made that the House do come to the following resolution: Resolved, that the Executive be desired to call to an account every officer, agent, commissary, quartermaster, and contractor, or other person concerned in the disbursement of public monies, who have been or are in service in the western country belonging to this State, for all their proceedings, and to appoint others to manage the business, if necessary, in the mean time." (Journal of the House, p. 27.)

After taking counsel on this business the Governor decided to intrust it to a commission composed of Col. William Christian, Col. William Preston, Col. Samuel McDowell, and Col. Thomas Marshall. (Cal. Va. State Papers, 2, 672.) Col. Christian respectfully declined the honor in a letter that was sent to the Governor on the 10th of October, 1781. (Cal. Va. State Papers, 2, 540, 541.) Thereupon Col. Fleming was named by order of Council in the place of Christian, notwithstanding the circumstance that a few days previously the former had been appointed a member of a "special commission of Oyer and Terminer which should meet in Richmond on the 11th of December, 1781, to hear and determine all criminal measures which the General Court could have heard and determined." (Va. State Papers, 2, 639.) In virtue of this last dignity he sometimes passed under the designation of Judge Fleming. (Cal. Va. State Papers, 3, 265.)

The above Commission experienced a deal of delay before they were able to take the road to Kentucky. Finally, about the 1st of October, 1782, they began the journey (Cal. Va. State Papers, 3, 328), and arrived at their destination after eighteen days of horseback travel. (Cal. 3, 389.) The body as it was finally organized was composed of William Fleming, Samuel McDowell, Thomas Marshall, and Caleb Wallace. Their arrival appears to have produced a decided sensation, as may be seen from the numerous communications that were addressed to them, as preserved in the Virginia State Papers, between December, 1782, and April, 1783. On the 16th of the latter month they quitted Kentucky to return to Virginia, arriving at Bellmont, the seat of Col. Fleming, on the 6th of May. (Cal. Va. State Papers, 3, 480.) They had been much in conference with Gen. George Rogers Clark. Col. John Montgomery had embraced the opportunity to defend himself against certain charges that had been laid at his door. A pleasant glimpse is gained of the gifted young lawyer, Walker Daniel, and of several other characters that were then prominent in the affairs of the western section of the country.

After the close of the war Col. Fleming made himself at home on his magnificent estate of Bellmont, consisting of about twenty-five hundred acres of the choicest land, and easily stood among the leading men of the Commonwealth. He was several times in the Legislature, and likewise a member of the Convention that adopted the Federal Constitution in the year 1787. He passed away in the month of August, 1795, and was interred at Bellmont, where his grave and that of his excellent wife are still pointed out. His residence has long since been removed, but by the report kindly sent me through Frederick Johnston, Esq., of Buchanan, Va., Bellmont is still kept intact, much the larger portion of it belonging at this time to the estate of David S. Read, Esq.

The Land Office at Frankfort shows the following entries that were made by Col. Fleming from time to time within the limits of the State of Kentucky:

1,000 acres in Jefferson County.

1,000 acres in Jefferson County.

200 acres in Jefferson County.

1,000 acres in Jefferson County.
1,000 acres in Fayette County.
932 acres in Fayette County.
400 acres in Fayette County.
400 acres in Jefferson County.
3,946 acres in Lincoln County.
3,804 acres in Lincoln County.
400 acres in Jefferson County.
400 acres in Jefferson County.
1,000 acres in Jefferson County.
2,250 acres in Lincoln County.
10,200 acres in Jefferson County.
1,000 acres in Jefferson County.

A few genealogical items relating to the family of Col. William Fleming may be added in this place :

There were born to himself and his wife Anne Christian six children, of whom the eldest, born June 18, 1764, was named Leonard Israel Fleming, in honor of his two grandfathers. Leonard Israel Fleming married his first cousin, Miss Mary Bowyer. She had resided in the family of Col. William Fleming for a number of years after the death of her mother, who was the first wife of Col. William Bowyer, of Staunton, Va. By this marriage Leonard had five children, namely, Nancy, Dorothea, Rosanna, William, and Leonard Israel. Mary Bowyer Fleming died November 13, 1804.

Leonard Fleming's second wife was Nancy Bacy, by whom he had ten children : Mary, Elizabeth, Priscilla, Sophia, Anne, Susan, Sarah, Matilda, John, and James. Leonard Israel Fleming died near Midway, October 27, 1845. Of the children by the first marriage, William married Miss Agnita C. Vandegraff, who was born January 5, 1810, and is still living near Midway, Ky. They were married June 2, 1827, and one of her sons is Col. William B. Fleming, of Louisville; another was the late Leonard Israel Fleming, of Midway, who died in 1875, and a third was Abram Sebastian Fleming, who died while a student at Center College.

Leonard Israel Fleming, the other son of Leonard Fleming by his marriage with Mary Bowyer, was born near Midway, October 15, 1798. In early life, during the Great Revival in Kentucky, he became a follower of Barton W. Stone, and after 1823 entered the communion of Alexander Campbell. A brief account of him may be found in Richardson's *Memoirs of Alexander Campbell*, vol. 2, pp. 335, 336. He was never married.

Nancy Fleming, the eldest daughter of Leonard Israel Fleming and Mary Bowyer, married Col. Patterson, of Woodford County. Their descendants are still found near Midway.

Dorothea Fleming, the second daughter, married Mr. Summers, of Midway, and Rosanna married Mr. Haggin.

The children of Leonard Fleming and Nancy Bacy, his second wife, married into the families of the Bullocks, Sullivans, Stilwells, Roysters, and others; but the details are not known to me.

Returning now to the children of Col. William Fleming, his eldest daughter, Elizabeth, was married in the early spring of 1794 to the Rev. Cary Allen, a Presbyterian minister

of Virginia, of whom a large account may be read in Foote's Sketches, 2, 223-235. Mr. Allen died on the 5th of August, 1795, at Danville, leaving an infant daughter. The Presbytery of Transylvania, in the year 1823, honored his resting place by erecting head and foot stones to mark the grave.

After the death of Mr. Allen, Elizabeth, his wife, married the Rev. Samuel Graham Ramsey, who shortly became one of the pioneers of Presbyterianism at Knoxville and other points in East Tennessee. A biographical notice of Mr. Ramsey, from the pen of his nephew, Hon. J. G. M. Ramsey, the historian of Tennessee, may be found in Dr. Sprague's Annals of the American Pulpit. It is contained in the second of the volumes devoted to the lives of Presbyterian clergymen. Governor David Campbell, of Virginia, who knew her intimately in early life, speaks with admiration of Mrs. Ramsey. (Foote, 2, 128.) Mr. and Mrs. Ramsey left issue who are people of credit in Tennessee.

The third child and second daughter of Col. William Fleming was named Dorothea. She married Mr. James Bratton, of Montgomery County, Virginia, but I have no knowledge relating to their descendants. Gen. Joseph E. Johnston, of the Confederate Army, is said to be one of them.

The next daughter was named Anne. She married the Rev. George Addison Baxter, D. D., on the 27th of January, 1798. (Foote, 2, 268.) The life of Dr. Baxter is to a certain extent the history of the Presbyterian Church in Virginia during the period covered by his activity. Foote has devoted to Baxter many pages of his second volume. He died on the 24th of April, 1841, leaving six or seven children. One of these, Sidney S. Baxter, was long Attorney General of Virginia previous to the year 1850. (Waddell, p. 193.) Another is my excellent correspondent, Miss Louisa Priscilla Baxter, of Lexington, Va.

The fifth child of Col. Fleming was his daughter Priscilla, who married Mr. Samuel Wilson near Florence, Alabama. I have no knowledge relating to their descendants.

The youngest child of Col. Fleming was Maj. William Fleming, of Huntsville, Ala. He married Sally Lewis, who was a daughter of William Lewis, of Virginia, by his second wife, Nancy McClenahan, and died without issue. Maj. Fleming was some time a member of the State Legislature from the Huntsville District.

APPENDIX V.

COLONEL STEPHEN TRIGG.

Another of the brothers-in-law of Judge Wallace was Col. Stephen Trigg, who married Mary Christian, next to the youngest daughter of Capt. Israel Christian. His connection with early Kentucky history is so important and so honorable that it is considered appropriate to insert a biographical sketch of him in this volume.

For the following account I am much indebted to the kindness of Col. John Mason Brown, who has done me so many favors in connection with the investigations that I have set on foot to accomplish the purpose here in hand. It is largely based upon a document that was supplied to Col. Brown by Mrs. Oliver P. Moss, of Liberty, Clay County, Mo., at the time when he was preparing his oration upon the centennial anniversary of the Battle of the Blue Licks, at which it is well known that Col. Trigg was one of the victims.

Mrs. Moss represents that the ancestor of the family was a certain Abraham Trigg, who emigrated from Cornwall in the year 1710 and established himself in Spottsylvania County, Virginia. She adds that one of the Hundreds of Cornwall is called by the name of Trigg. The facts relating to that case are not familiar to me, but in the *Encyclopedia Britannica*, ninth edition, under the word Cornwall, mention is made of a deanery that passes by the name of Trigg Minor. The full title of the work in which it occurs is "The Parochial and Family History of the Deanery of Trigg Minor, by Sir John Maclean, London, 1873." It was published in parts, and is declared to be exhaustive for that portion of the shire.

Abraham Trigg, of Spottsylvania, Va., married Miss Dosia Johns in the year 1725, and they had eight children, four of whom were boys and four girls. The names of the sons were respectively Abraham, William, John, and Stephen, the last named being the subject of the present sketch. Abraham and William are both said to have been colonels of Virginia regiments during the Revolutionary War, but whether these were militia regiments or belonged to the Continental Line has not been stated. John Trigg, the third son, was a major of artillery, in which character he was present at the siege of Yorktown and the capture of Lord Cornwallis.

In the Calendar of Virginia State Papers, vol. 3, 208, the following is given as the roster of the Field Officers of the Militia of Montgomery County on the 6th of July, 1782, viz: William Preston, Walter Crockett, Joseph Cloyd, Daniel Trigg, John Taylor, Abraham Trigg. It is suspected that the Abraham and Daniel Trigg whose names are included in the above list were nephews of Col. Stephen Trigg, and sons of his eldest brother, Abraham. Daniel Trigg appears again, at the age of eighty-six years, in Whitley County, Kentucky, as a pensioner of the Revolutionary War. (Collins, 2, 9.) It is likely this Abraham Trigg was the nephew of Stephen, who married Susan Inglis, a daughter of William and Mary Inglis. (Foote, 2, 158)

After the close of the war, both Abraham and John, the brothers of Col. Stephen

Trigg, were for a long period members of the Federal Congress, and John is said to have been particularly active in his opposition to the Alien and Sedition Laws. He married a Miss Diana Ayres, and resided in Bedford County.

Stephen, the youngest son of Abraham Trigg, the Cornish emigrant, came to Augusta County, where he married Mary Christian, possibly about the year 1768 or 1769. He was present at the organization of Botetourt County on the 15th of February, 1770. On the 18th of the month he was recommended to the Governor to be appointed one of the Justices of Botetourt, along with such men as William Inglis, John Howard, Philip Love, James Robertson, William Christian, William Herbert, John Montgomery, Robert Dodge, Walter Crockett, James McGavock, Francis Smith, Andrew Woods, William Matthews, John Bowman, William McKee, and Anthony Bledsoe. (Waddell, p. 131.)

It is believed that his home was in the vicinity of Dunkard's Bottom, on New River. Here, where Israel Christian established his residence, was an old fort which may have served the settlers as a kind of rallying place in time of peril from the Indians. (Waddell, p. 75.) In the Convention that assembled at Richmond on the 17th of July, 1775, William Christian and Stephen Trigg appeared as representatives of Fincastle County, that had been organized from Botetourt in the year 1772, and included the whole of Southwest Virginia and the whole of Kentucky. (Collins, 2, 365.) In 1776, when Fincastle County was divided into Montgomery, Washington, and Kentucky counties, the lot of Col. Trigg was identified with the first mentioned. There are on record in the deed books at Christiansburg, Va., several entries that relate to transactions in real estate that were made by him. One of these is a deed from James McCall to Stephen Trigg; another is a deed from Stephen Trigg to John Byrd, and a third is a deed from Ross and Trigg to John Elbeck and others.

It is believed that during the progress of the Revolutionary War, Trigg acquired a position in the militia of Montgomery County. When he went to Kentucky, in the year 1779, he was already by common consent designated as Col. Trigg. The occasion of his coming to Kentucky at the date indicated was a very important one. Allusion has already been given to it above in speaking of the history of Col. William Fleming. These two brothers-in-law, together with Edmund Lyne and James Barbour, constituted the famous Land Commission that was organized under the Virginia Land Law of the year 1779 to adjust the conflicting titles that existed in such abundance in Kentucky.

Arrived in Kentucky, Trigg immediately made up his mind to become a settler. He did not return again to Virginia for the purpose of permanent residence. His career in the new country promised to be exceptionally brilliant. He founded a home at Trigg's Station, otherwise known as Viney Grove, because of the large number of grape-vines. It was situated four miles northeast of Harrodsburg, in Mercer County, on Cane Run, about four miles from the mouth of that stream at Dick's River. This labor was performed during the year 1780, shortly after the dissolution of the Land Commission in March of that year. (Collins, 1, 22.)

Likewise, in the year 1780, John Todd and Stephen Trigg were sent to represent the County of Kentucky in the Virginia Legislature. (Collins, 2, 366.) While they were present in the Legislature there was passed "an act for establishing the town of Louisville at the Falls of the Ohio." By the terms of that act "John Todd, jr., Stephen Trigg, George Slaughter, John Floyd, William Pope, George Meriwether, Andrew Hynes, and James Sullivan, gentlemen," were appointed to lay off the town on a tract of one thousand acres of

land which had previously been granted to John Conolly by the British Government, and which he had forfeited by adhering to the English monarch. (Collins, 1, 371.) It is believed that the naming of the metropolitan city of Kentucky in honor of King Louis XVI, whose troops were at the moment aiding the Americans in the struggle against England, was suggested either by John Todd or by Stephen Trigg, the members for Kentucky County in the Legislature of 1780.

It was in the same year that Trigg acquired ownership of the lands upon which a large portion of the city of Covington was afterward built. He made a survey of two hundred acres at the mouth of the Licking, all of which is now included within the heart of the town. (Collins, 1, 427.)

Lincoln County, Kentucky, was set off in 1780. Its first court was held on the 16th of January, 1781, at the town of Harrodsburg, at which date a commission from the Governor of Virginia was produced and read, which appointed the following thirteen gentlemen to be justices of the peace, to hold the county court, and to be commissioners of any court of Oyer and Terminer for the trial of slaves, viz: John Bowman, Benjamin Logan, John Logan, John Cowan, John Kennedy, Hugh McGary, William Craig, Stephen Trigg, Abraham Bowman, Isaac Hite, William McBride, William McAfee, and James Estill. (Collins, 2, 475.)

Possibly it was also on the 16th of January, 1781, and by authority of the County Court of Lincoln, that Stephen Trigg was appointed Colonel of the Militia of Lincoln County, Benjamin Logan, Lieutenant Colonel, and James Harrod, Major. Benjamin Logan and James Harrod, having each previously held a higher position, promptly refused the honor that was tendered them. John Logan was appointed in the place of the one, and Hugh McGary was appointed in the place of the other. (Collins, 2, 476.) Benj. Logan was, in July, 1781, honored with the position of County Lieutenant, in the place of John Bowman, who had previously held it. (Collins, 2, 476.)

A document preserved in the Calendar of Virginia State Papers, under date of July 2, 1782, relates in an interesting fashion to Col. Trigg. It is given in full, as follows: "John May, J. Hete (Isaac Hite), Squire Boones and John Edwards, 'Delegates from the Kentucky take the liberty'—of nominating such persons as they think fit to fill the Several Offices of the Court authorized by the Genl: Assembly for that District to the Executive—viz. Col. John Todd as district attorney—'a man of abilities and a practicing attorney,' then also Walker Daniel for the same office—They have conversed with Edmund Pendleton, hoping to get his consent to become Judge of their court. He is too well known to the Executive to require any thing more from them—For assistant Judge they recommend Col. John Floyd, Col. William Pope, Col. Stephen Trigg, and two others about to remove thither, Col. Levin Powell and Col. James Garrett. Any of these will make good Assistant Judges. Cols. Floyd, Pope, and Trigg are the militia officers, and the latter one of the Commissioners for adjusting & settling the claims to Land in the said District." (3, 204.)

Before the Governor had found time to act upon these recommendations Col. Trigg had closed his career on the barren ridge that frowns above the meanderings of Licking River at the Lower Blue Licks. The Battle of the Blue Licks was fought and lost on the 19th day of August, just eight and forty days after the period when his name was thus favorably placed before the authorities at Richmond.

Of the above-named battle there are five different contemporary accounts, made by

four persons who were more or less familiar with the progress of it. The first account was composed by Levi Todd, at that time holding the commission of major in the Fayette County Militia. (Collins, 2, 657.) It was dated Lexington, August 26, 1782, the day after the expedition under Col. Benjamin Logan had returned from the sad office of burying the dead on the fatal field, and was directed to Robert Todd, one of his brothers in Virginia. (Cal. Va. State Papers, 3, 333.) In many ways it is the best report that has been handed down. Maj. Todd had every sort of opportunity to observe the event, and he was much the most competent to describe it adequately.

The second account was set down by Andrew Steele, Esq., of Lexington, on the same day as the above, in considerably stilted style, and was directed to Governor Harrison, of Virginia. (Cal. Va. State Papers, 3, 269.) He appears to have spoken as an eye-witness of nothing but the expedition under Logan to bury the dead.

The third account is dated Fayette County, Boone's Station, August 30, 1782, and was composed by Col. Daniel Boone, one of the principal actors in the unhappy disaster.

The fourth account was prepared by Col. Benjamin Logan, the County Lieutenant of Lincoln County (Cal. Va. State Papers, 3, 522), who led a force of 470 men to the field five days after the battle, and buried forty-three of the dead. It was dated Lincoln County, August 31, 1782. (Cal. Va. State Papers, 3, 280.)

The fifth account was also written by Maj. Levi Todd, at the instance of both the civil and military officials of Fayette County as their report of the operations in question, and was dated Lexington, Fayette County, Ky., September 11, 1782. This statement is not so adequate as the one that was composed for the benefit of Robert Todd, but it contributes an item or two of some degree of interest. It will be perceived that the testimony of only two eye-witnesses has been preserved, namely, Maj. Levi Todd and Col. Daniel Boone; the other two authorities speak at second-hand, except with reference to the solemnities connected with the interment of the victims.

The first of the above accounts has been selected as the principal authority for the accompanying narrative. The Indians had chosen the time when green corn was in season to prosecute their foray. Their first appearance was observed in Fayette on the 14th of August, at which time Benjamin Logan reports that Capt. Holden pursued a party of them who had made prisoners of a couple of boys in his neighborhood, in which enterprise he was repulsed with the loss of four men. On the 16th of August, Boone says about sunrise of the day (3, 275), they appeared and laid siege to Bryant's Station. Thirty men under Maj. Todd went from the fort at Lexington and ten from Boone's Station to the relief of the people at Bryant's, but of these only seventeen, who chanced to be well mounted, could force their way in; the balance were repulsed with some loss.

Col. John Todd, the brother of the Major, was the active and capable County Lieutenant for Fayette. (Cal. Va. State Papers, 3, 300.) In that character he had, the previous April, caused to be erected at Lexington a magnificent fort at a cost of £11,341 10s., for which sum he had himself become personally responsible. (Cal. Va. State Papers, 3, 130, 131.) Unluckily Col. Todd was absent in Lincoln County at this critical juncture, and before attempting to relieve the garrison at Bryant's, on the morning of the 17th, an express was sent by Levi Todd to make him acquainted with the posture of affairs. (3, 333.) The savages maintained their siege the entire day of the 17th, but on the morning of the 18th, about 10 o'clock in the day (3, 275), they surrendered the hopeless task and leisurely took up their line of march. They were commanded by Simon

Girty, a renegade of Irish birth and a capable leader. Their purpose in quitting Bryant's at that hour of the day would seem to be apparent. They had despaired of capturing the post by storm, and hoped it would be in their power to entice the whites to follow them into the open country.

In the evening of the 17th Col. Todd appeared at Bryant's, having returned in haste from Lincoln. He brought with him Col. Trigg, the colonel commanding the militia of that county, Maj. McGary, of the same regiment, and about 130 of their men. (3, 333.) After passing the night at Bryant's these forces were increased the next morning until the entire body amounted to 182 men (3, 333), although in his official report Levi Todd places the number at only 170 men. (3, 300.) These were all mounted troops; there was not a single footman engaged upon the expedition which left Bryant's on the morning of the 18th of August. (3, 333.)

Though the Indians were twenty-four hours in advance of their pursuers, it was plain that they were not solicitous to avoid them. They had their pitfall in mind at the famous bend of the Licking, and their utmost care was employed to induce the whites to fall into it. On the 19th of August, at 8 o'clock in the morning (3, 333), the militia first caught sight of the enemy. This was nearly forty-eight hours after the latter had quitted the fort at Bryant's, and the savages were by consequence not much distressed by their march of forty miles.

The entire body of the whites were under the command of Col. John Todd as County Lieutenant of Fayette, next to him stood Col. Trigg in command of the militia of Lincoln, which it has been shown numbered 130 out of a total force of 170. Next to Col. Trigg was Maj. McGary, who had been appointed to that position in the Lincoln Regiment in the month of July, 1781. (Collins, 2, 476.) As a matter of course Hugh McGary would rank all the other majors in the expedition, in consideration of the fact that he had a number of troops under his command and they had none at all. Daniel Boone was in immediate command of the forty men from Fayette.

When the Kentuckians got sight of the foe these were forming on the ridge in the loop of the Licking, on the opposite side of the river. The ford was difficult, and the river could be passed at no other point in the vicinity. A parley was called, and the question was raised whether the whites should venture into the trap that had been so shrewdly set for their undoing. The position of the savages was simply impregnable for such assailants as were then at the disposal of Col. Todd, and both himself and Daniel Boone were stoutly opposed to attempting it. But the jealousies that prevailed between Fayette and Lincoln now burst forth in a truly unhappy display. The men of Lincoln county, it is conceived, had been disgusted from the outset, because although the attack upon Bryant's post had befallen within the territory of Fayette, and they had come from their own homes to defend the county of Fayette, it was possible to muster there not more than forty men to aid them in the work. A large proportion of even that small number was made up of the commissioned officers of the Fayette Regiment, it being beyond their power to rally the privates from the heavy fright that had overtaken them. One can easily suppose that charges of cowardice were whispered about on the morning of the 18th before the little army began its march. And now, when the commanders from Fayette both called a halt on the banks of the Licking and counseled prudence, the patience of the men of Lincoln was apparently exhausted; a tumultuous conference resulted, in which all bonds of discipline were rudely snapped asunder.

The foremost man in this conference was Maj. Hugh McGary. The only hope at all that the Kentuckians had for safety at that moment lay in a precipitate retreat, which, if it had been wisely managed, might have been performed without disaster, since all of them were mounted men. McGary, however, was little experienced in the arts of Indian warfare, and withal too swift to misinterpret the motives of Todd and Boone. If he could have been immediately placed under arrest or somehow broken of his commission the catastrophe might have been averted. Col. Trigg, being a very courtly gentleman, it is believed was not carried to any extremes of violence like his subordinate, although he was perhaps too far influenced by the unworthy suspicions of McGary. The interview was shortly broken up by McGary, who in a towering fit of passion raised the war-whoop, and, spurring his horse into the stream, called vehemently upon all who were not cowards to follow *him* and *he* would show them the enemy. In a moment of time the entire Lincoln contingent were at his heels, the Fayette contingent keeping their places at the side of Boone and Todd. (Collins 2, 261.) When they had got the river between them it is presumed that the men of Lincoln paused long enough to hurl additional insinuations and reproaches against their comrades. The situation was now almost desperate, but if Todd and Boone had firmly stood their ground and refused to pass the ford the calamity that was sure to come might have been in a measure alleviated.

Boone, always fertile in expedients, is supposed to have suggested to Todd a plan by which the army might still be saved. It was proposed that the men of Fayette should join their friends on the northern shore and persuade them to send forward scouts to reconnoiter the suspected region. In case the enemy was found to be too strong, the Kentuckians might still have time enough to return to the south bank before they were thrown into hopeless disorder. The scheme worked admirably; the army consented to remain where it was at the base of the ridge until a couple of tried men should be dispatched along the buffalo-trace across the summit to inspect the real condition of affairs. (Collins, 2, 661.)

The Indians were too familiar with the methods of Daniel Boone to be caught by that expedient. Anticipating that the whites would undertake such a measure of precaution, Simon Girty had caused his warriors to retire from the summit of the ridge and to hide themselves under the banks of the Licking on either side of the buffalo-trace, and at a distance of not more than half a mile from it. The scouts went their perilous errand even to a point that was half a mile beyond the ravines at the neck of the loop where the braves were secreted. Almost as a matter of course they returned to their friends without having discovered the enemy.

The doomed little army was now put in motion, marching in battle order up the ridge, Trigg commanding the right wing, McGary the center, Boone the left, and Todd in command of the whole. Maj. Harlan with twenty-five men was detailed to march in front as an advanced guard. Every thing proceeded bravely until they had surmounted the ridge and were in sight of the fateful ravines. The enemy had meanwhile found time to quit their lurking places under the banks of the river on either side of the buffalo-trace, and, ascending these ravines, to form anew the line of battle which they are believed to have held before the coming of the pair of scouts. It was now clear to the blindest that they were hopelessly involved in the toils of the adversary. Nothing but faultless courage and conduct would avail to avert an indiscriminate slaughter.

Riding up to a point within sixty yards of the ravines the entire force dismounted

(3, 333), and the work of death commenced in earnest. Levi Todd considered the ground "was equally favorable to both parties and the timber good." Todd, and perhaps Trigg and McGary, remained on horseback; it can hardly be supposed that Boone, with all his shrewdness and experience, would risk such a venture. It was left to him and to the Fayette contingent to bring on the fight, a labor in which they demonstrated that they were not the cowards they had been suspected to be; "the left wing rushed on and gained nearly 100 yards of ground." (3, 333.) An eye-witness reports that Trigg was killed before the combat was fairly joined. (Collins, 2, 660.) By means of that casualty the right wing was instantly thrown into confusion, and gave way within a minute or two. (3, 300.) Boone quaintly relates: "The enemy were so strong on the right wing that they rushed up and broke it at the first fire; so the Enemy was immediately on our backs; so we were obliged to Retreat with the loss of seventy-seven of our men and twelve wounded." (3, 275.) Levi Todd says "the action had lasted about five minutes" (3, 334), when the rout became complete.

The retreat was a shocking affair. Many of the Indians rushed forward, mounted the loose horses of the Kentucky troops before their riders could reach them (3, 334), and pursuing the wretched fugitives cut them down almost at will. Several were killed in the river. The courage of the Kentuckians showed its best qualities in the moment of defeat; they did not lose their heads, but made several efforts to rally, and took care that the Indians should pay dearly for their victory. When the dead were counted it was perceived that the whites had slain four more of Girty's braves than they had lost themselves. Here was a triumph indeed, but no occasion for rejoicing. In order to render the losses equal on both sides the savages gave leave to their young men to put to death with barbarous tortures four of the seven prisoners that had been captured in the melee. (Collins, 2, 662.) This ceremony was apparently performed at the ford. When Andrew Steele crossed at that point with Col. Logan, on the 24th of August, he says: "We are led to conceive that none were captivated, from a number found at the crossing of the Creek tied and butchered with knives and spears." (3, 270.)

The battle was fought on the 19th of the month, at about 10 o'clock in the morning. On the 24th Benjamin Logan appeared with a force of near 500 men to inter the remains of the victims. After five days of exposure to August weather it was to be anticipated that the bodies would be difficult of recognition. The remains of Col. John Todd were not recognized (3, 334); those of Col. Trigg were found, and Logan reports that "Trigg was quartered." (3, 281.)

As previously indicated, Boone estimated the loss at seventy-seven killed and twelve wounded; Levi Todd says, in his account of the 26th of August, "our number missing is about seventy-five." Col. Logan, on the contrary, says "our loss in this action is fifty missing from Lincoln and fifteen from Fayette." (3, 281.)

The following list may be supplied from the information that is now made accessible in the reports of Daniel Boone, Levi Todd, and others:

Col. John Todd, Col. Stephen Trigg, Maj. Silas Harlan, Maj. Edward Bulger, Capt. William McBride, Capt. John Gordon, Capt. Joseph Kinkead, Capt. Clough Overton, Lieut. William Givens, Lieut. John Kennedy, Lieut. Rogers, Lieut. Hinson, Lieut. McGuire, Commissary Joseph Lindsay, Surgeon James Brown. Privates—Francis McBride, John Price, James Ledgerwood, John Wilson, Isaac McCracken, Matthias Rose, Hugh Cunningham, William Eads, Esau Corn, William Smith, Henry Miller, Ezekiel Field,

John Foley, John Fry, Val. Stern, Andrew McConnell, William Harris, William Stewart, William Stevens, Charles Ferguson, John Willson, John O'Neal, John Stapleton, Daniel Greggs, Jervis Green, Drury Pulley, William Robertson, Gilbert Marshall, James Smith, Israel Boone, James Graham, and John Bulger. The three prisoners who were spared by the Indians were Ensign John McMurtry and Privates Lewis Rose and Jesse Yocum.

It may be worth while to observe the impression that was produced in different quarters by the disaster at the Blue Licks. The alarm was most severe in Fayette County. Andrew Steele, in his epistle to the Governor, deposes: "Through the Continued series of a Seven Years' vicissitude nothing has happened so alarming, fatal & injurious to the Interest of the Kanetuckians in Particular & all its votaries in General, as the present Concatenation of Hostilities, wherewith I am now to acquaint Your Excellency. . . . To experience the feelings of the Inhabitants of both the Counties at this Ruefull scene of hitherto unparalleled barbarities Barrs all words and & cuts Description short." (3, 269, 270.)

Daniel Boone observes a more quiet style of composition, yet he pleads his cause with earnestness: "I know, Sir, that your situation at present is something critical. But are we to be totally forgotten? I hope not. . . . I have encouraged the people here in this county all that I could, but I can no longer Encourage my neighbors nor myself to risque our lives here at such Extraordinary hazzards."

Col. Benjamin Logan, on the contrary, in his report of August 31st does not display the slightest trepidation. Gen. George Rogers Clark in his turn declares: "Those preparations that were made and the measure taken to let the Enemy know that we were fully acquainted with their design (which in fact we were), I believe has saved the western country, by their losing all hopes of reducing the Falls, divided their force, sent some to Wheeling, and the main body to make a diversion on Fayette County. And had it not been for that Imprudent affair at the blue licks the country would have sustained very little damage. . . . The Conduct of those unfortunate Gents was Extremely Reprehensible." (3, 345.)

Col. Arthur Campbell, of Washington County, Virginia, declares his sentiments in terms that are scarcely parliamentary; a portion of them must be suppressed in this place. On the 3d of October, 1782, he tells the Governor, "Never was the the lives of so many valuable men lost more shamefully than in the late action of the 19th of August, and that not a little thro' the vain and seditious expressions of a Major McGeary. How much more harm than good can one fool do! Todd & Trigg had capacity, but wanted experience. Boone, Harlan, and Lindsay had experience, but were defective in capacity. Good, however, would it have been had their advice been followed. . . . Gen. Clark is in that country, but he has lost the confidence of the people." (3, 337.) When Clark had been advised of the complaints that had been raised against his own administration, he replied with charges and insinuations that it were kindly to pass over in silence. (3, 384, 385.)

The following notices may be given, relating to the family of Col. Trigg:

His oldest son, William, married Miss Susan Smith, who was a sister of Agatha Smith the wife of Dr. Lewis Marshall. His place of residence was Frankfort, where he died without issue.

Stephen Trigg, the second son, settled in Botetourt County, Virginia, and married Miss Mary Harvie. They had no issue.

Fleming Trigg, the youngest son, married Miss Susan Ditty, of Southwestern Virginia. They had one daughter.

Elizabeth Trigg became the wife of Preston Breckinridge, son of Robert and Letitia (Preston) Breckinridge, and their sixth child. They removed to Fayette County, Kentucky, where he lived and died. They had five children, three sons and two daughters. Robert and Stephen Trigg Breckinridge died unmarried. William Logan Breckinridge married a daughter of Gen. Robert S. Russell, of Fayette County, and settled in Morganfield, Ky. They had four daughters, of whom the oldest married Mr. Sanders, of Tennessee; the second, Eglantine, married Mr. Outen, of Missouri; the third, Mary, died unmarried, and the fourth, Elizabeth Breckinridge, married F. E. Dickey, of Georgetown, Ky. They had one daughter, who married Sidney Smith, a brother of Col. D. Howard Smith.

Gabriella Breckinridge, the second daughter and fifth child of Preston Breckinridge and Elizabeth Trigg, married A. L. Shotwell, of Louisville, and left three children.

Mary Trigg, the youngest child and daughter of Col. Stephen Trigg, married Gen. David Logan. They left one son, Judge Stephen Trigg Logan, of Illinois, who at one time was the law partner of Abraham Lincoln. In his history of Illinois, Governor Ford mentions Judge Logan and shows him distinguished favor. (p. 393.) He died at Springfield, Ill., a few years since, leaving issue behind him.

There was another Stephen Trigg in Kentucky at an early day, who is sometimes confounded with the subject of the present sketch. He was a son of Maj. John Trigg, of Bedford County, Virginia, and a nephew of Col. Trigg's. As early as the year 1791 he was in Kentucky. (Collins, 2, 367.) His first home was in Clark County, but he represented Estill in the Legislature for the session of 1816-'17. The next year he moved to Howard County, Missouri, where, in the character of a major general of militia, he performed important services against the Indians from 1822 to 1830. His descendants are people of the highest credit in that State, one of them being Mrs. Oliver P. Moss, of Liberty, to whom, by the kindness of Col. Brown, I owe a large portion of the preceding history of the Triggs in England and in Virginia.

APPENDIX VI.

THE BOWYER FAMILY.

Elizabeth Starke Christian, the second daughter of Israel Christian, married Col. William Bowyer, of Staunton. As this gentleman was never connected with the affairs of Kentucky, it is not considered important to produce any biographical sketch of him. On the other hand, it may be appropriate to set down a few genealogical notices relating to his descendants.

Mrs. Bowyer was recently deceased at the time when the will of Israel Christian was composed, in July, 1784. She had only two children, Priscilla and Mary. Mary Bowyer became the wife of her first cousin, Leonard Fleming, who settled in Kentucky, and the facts relating to her have been given in connection with him.

Priscilla Bowyer married, first, Mr. Madison, a brother of Bishop Madison, of the Episcopal Church of Virginia. He lived but a short time, and some years after his death his widow married Capt. John Miller, of Fincastle. To this marriage there was issue as follows:

1. Fleming Bowyer Miller, an eminent lawyer of Virginia, who died since the war between the States. He left five children, three sons and two daughters. One of the daughters is Mrs. William McCue, of Augusta County, and the other is Mrs. Capt. Sawyers, of Wythe County.

2. Elizabeth Miller married Mr. Randolph Ross, a merchant. They had three sons, all of whom died without issue.

3. Nancy Miller married Col. Reuben Ross, and left three children: Col. Reuben Ross, of Missouri, Mrs. Judge Hudson, of Fincastle (who since her husband's death spends most of the time with her children in Texas and Iowa), and Mrs. Virginia Pitzer, who died in Texas several years ago.

After the death of his first wife, Col. Bowyer was married a second time to Mrs. Margaret Ann McClenahan, of Staunton, Va., by whom he had issue as follows: William Christian Bowyer, Strother Bowyer, Luke Bowyer, Peter G. Bowyer, and Malinda Bowyer. (Peyton, Augusta County, p. 287.)

Book the Third.

JURIST AND CIVILIAN.

1782-1814.

CHAPTER I.

MR. WALLACE REMOVES TO KENTUCKY.

An appointment upon the celebrated Commission for the Adjudication of Western Accounts was the immediate occasion of his removal to Kentucky. A brief history of the establishment of that Commission has been supplied in the sketch of the life of Col. William Fleming. The members of it were appointed by the Governor and his Council in the month of July, 1781. At any rate, Col. William Preston, of Montgomery County, affirms that notice was conveyed to him of his own appointment about the 1st of August. (Cal. Va. St. Pap., 2, 501.) The persons originally honored with that preferment were Col. William Christian, Ch'rman, Col. William Preston, Col. Samuel McDowell, and Col. Thomas Marshall.

Great difficulty was experienced in the effort to obtain suitable parties to serve on this Commission. The country was in a state of alarm by reason of the war being transferred to the South, and by the operations of Arnold and Cornwallis in Virginia. The first to decline was Col. Preston, who recommended his friend and relative, Granville Smith, to occupy the vacancy that was thus created. (2, 501.) On the 10th of October the chairman, Col. Christian, also declined, and recommended Col. Arthur Campbell in his place. (2, 540.) It was subsequently occupied by Christian's brother-in-law, Col. Fleming. (2, 672.)

After the date of Fleming's acceptance the affair appears to have slept for a season, so far, at least, as any public notice of it is concerned. This is partly due to the circumstance that, after several disappointments were had, the Governor entrusted to those who had accepted positions the task of filling up the vacancies. In September, 1782, it was brought to the attention of His Excellency that Mr. Daniel Smith, of Washington County, had declined to accept a place, and that Harry Innes in his turn had resigned, being unable to attend on account of the serious illness of his wife. It was further stated that "Mr. Caleb Wallace has been added to the Commission." (3, 289.) They started on their journey about the 1st of October, 1782, a few days after tidings had come to hand of the catastrophe at the Blue Licks and of the death of Stephen Trigg. (3, 328.) It was expected that they would tarry a brief season in Washington County to obtain a military escort, but in this arrangement they were partially unsuccessful. Probably the entire family of Caleb Wallace, consisting of his father, Samuel Wallace, his brother, Andrew

Wallace, and his brother-in-law, Col. Henry Pawling, with their respective households, accompanied the expedition. The Wallace records affirm that they all came to Kentucky in the year 1782.

Numerous difficulties stood in the way of executing the task that had been laid upon these Commissioners, which was nothing less than "to call to an account every officer, agent, commissary, quartermaster, and contractor, or other persons concerned in the disbursement of public monies, who have been or are in service in the western country." (Journal of House of Delegates for May Term, 1781, p. 27.) It was hard to come at several of these gentlemen; for example, the Commissioners found upon arrival in Kentucky that Lindsay and Harrison were both dead and their papers were in confusion; neither Mr. Bullock, Mr. Barbour, nor Mr. Shannon were in the country, and all the parties concerned in Illinois had to be specially cited to appear. In addition, Gen. George Rogers Clark had started with a large expedition against the Shawnee Indians on the 23d of October, from which he only returned on the 18th of November. (3, 383.)

Notwithstanding these obstacles the Commissioners were enabled to perform a large amount of labor. The business was all closed up on the 12th of April, 1783 (3, 468), and they returned to Virginia with "a horse-load of papers." (3, 482.) Leaving Kentucky on the 16th of April they arrived at Belmont, the seat of Col. Fleming in Botetourt County, on the 6th of May. (3, 480.) Here they remained for a considerable period of time, engaged in the effort to make out their report to the Governor, which, however, was not completed before midsummer. After it had been duly rendered it was customary, except in extraordinary instances, to settle accounts of disbursing officers in the West by the representations that were contained in it. The records of the House of Delegates, for several years that followed, show frequent petitions to the Legislature for relief against the decisions of the Commission, but it is believed that no instance is on record where such a petition was granted.

All of the members of the Commission for Western Accounts became permanent residents of Kentucky with the exception of Col. Fleming. Thomas Marshall, the father of Chief Justice Marshall, had visited the country previously in the year 1780, at which time he had come into possession of an extended tract of land known by the name of "Buckpond," in Woodford County, near Versailles. In 1783 it would appear that his residence became permanently established at or near that seat; he did not change it until the year 1800, when he removed to Washington, in Mason County, where he died on the 22d of June, 1802. Samuel McDowell, the father of Wallace's first wife, fixed his residence at Danville, and was for many years one of the most familiar figures in the new commonwealth; he survived until the 25th of September, 1817.

During the period that elapsed between the 1st of November, 1782, and the 12th of April, 1783, Mr. Wallace resided a sufficient period of time within the county of Lincoln to become a citizen under the laws then in force. A deal of confusion prevailing in the West immediately after the Battle of the Blue Licks, it was not an easy matter for the inhabitants to procure a representative of their interests in the session of the Virginia Legislature that was now coming on. In consequence of this embarrassment the most youthful of the four Commissioners offered his services to his fellow-citizens, and they were cheerfully accepted. After remaining at Belmont, in Botetourt, from the 6th to the 12th of May, Mr. Wallace set out for Richmond on the latter day (3, 482), and took his seat in the General Assembly perhaps on Monday, the 19th of the same month.

CHAPTER II.

PUBLIC SERVICES IN THE LEGISLATURE.

The career of Mr. Wallace in the Legislature of Virginia was very brief, embracing nothing more than the May term for the year 1783, but the work that he accomplished subsequently assumed a high degree of importance. His associate from Lincoln County was the Hon. John Edwards, but the times were so disjointed that it was impossible for that gentleman to take his seat until the October term, at which, on the contrary, Mr. Wallace was not present.

There were only two bills that Wallace was fortunate enough to get passed for the benefit of the District of Kentucky. Of these the first was of decided consequence, although it must be allowed that at the moment it obtained but little attention. It related to the establishment of Transylvania Seminary, and as that institution later acquired an amount of distinction in the Western States, it may be worth while to set down in order the facts that bear upon its early history.

The chief merit in connection with the foundation of it must be accorded to Col. John Todd, who fell at the Blue Licks on the 19th day of August, 1782. In the year 1780 Todd and Trigg had been chosen to represent the county of Kentucky in the Legislature of Virginia, and during this period the former conceived and composed the bill which lies at the basis of many subsequent efforts in behalf of higher education. He was successful in conducting it to its passage through the Legislature; the text of it is recorded in this place for purposes of comparison. It is entitled—

“AN ACT TO VEST CERTAIN ESCHEATED LANDS IN THE COUNTY OF KENTUCKY IN TRUSTEES FOR A PUBLIC SCHOOL.

“WHEREAS, It is represented to the present General Assembly that there are certain lands within the county of Kentucky, formerly belonging to British subjects, not yet sold under the law of escheats and forfeitures, which might at a future day be a valuable fund for the maintenance and education of youth, and it being the interest of this commonwealth always to promote and encourage every design which may tend to the improvement of the mind and the diffusion of useful knowledge, even among its most remote citizens, whose situation a barbarous neighbourhood and a savage intercourse might otherwise render unfriendly to science:

“*Be it therefore enacted*, That eight thousand acres of land, within the said county of Kentucky, late the property of Robert M'Kenzie, Henry Collins, and Alexander M'Kee, be and the same are hereby vested in William Fleming, William Christian, John Todd, Stephen Trigg, Benjamin Logan, John Floyd, John May, Levi Todd, John Cowan, George Meriwether, John Cobbs, George Thomson, and Edmund Taylor, trustees, as a free dona-

tion from this commonwealth for the purpose of a publick school or seminary of learning, to be erected within the said county as soon as the circumstances of the county and the state of its funds will admit, and for no other purpose whatsoever: Saving and reserving to the said Robert M'Kenzie, Henry Collins, and Alexander M'Kee, and every of them, and all and every person or persons claiming under them, or either of them, all right and interest to the above-mentioned lands, or any part thereof, to which they may be by law entitled, and of which they shall in due time avail themselves, any thing herein contained to the contrary notwithstanding." (Hening, Statutes at Large, vol. 10, pp. 287, 288.)

Davidson, in his industrious history of the Presbyterian Church in Kentucky (p. 289), prefers a large claim on behalf of the Rev. John Todd, of Hanover Presbytery, an uncle of the gentleman who drew the bill, and even assigns to him a position in advance of his nephew. The exact condition of the case is not known to me, but the ability, industry, and accuracy of Dr. Davidson usually constitute a sort of guarantee for the correctness of his assertions.

The enterprise was permitted to sleep where Col. Todd had left it in the year 1780; the trustees whom he had selected were by his act endowed with no other power than that of holding the property. It was recognized that the time had not yet come to proceed to the second step in the enterprise; the circumstances of the country and the state of the funds belonging to the school were both unfavorable. The zeal of Mr. Wallace in favor of higher education has already been described in the chapter which relates the part he took in the establishment of the two Presbyterian colleges in Virginia; it was natural, therefore, that the project of establishing a school for liberal learning in Kentucky would be among the first items to arrest his attention. The bill of Col. Todd was carefully examined, and on account of certain defects that would operate as long as it was in force to prevent the people of Kentucky from going forward in the direction he desired, Wallace obtained leave of the House of Delegates to bring in a bill of his own "to amend the act to vest certain escheated lands in Kentucky in trustees for a public school."

The earliest mention of it occurs on the 19th of June, 1783, when the new bill was presented and read a first and also a second time. On the second reading it was ordered to be committed to Messrs. Wallace, Avery, Gabriel Jones, Alexander White, Thurston, and Tazewell. (Journal, May Term, 1783, p. 68.)

On Monday the 23d of June the business was called up again. The bill was then passed on its third reading, and Wallace was ordered to carry it to the Senate and desire their concurrence. (Journal, p. 77.) The concurrence was given the next day. The text of the more material sections of this statute may be of interest to students of the history of Transylvania University:

**"AN ACT TO AMEND AN ACT INTITULED 'AN ACT TO VEST CERTAIN ESCHEATED LANDS
IN THE COUNTY OF KENTUCKY IN TRUSTEES FOR A PUBLIC SCHOOL.'**

"I. WHEREAS, By an act of assembly intituled 'An act to vest certain escheated lands in the county of Kentucky in trustees for the purpose of a public school, eight thousand acres of escheated lands were vested in certain trustees therein named as a free donation from this commonwealth for the purpose of a public school or seminary of learning to be erected within the said county, now called the district of Kentucky, as soon as the circumstances of the country and the state of its funds will admit: And whereas, it hath

been represented to this general assembly that voluntary contributions might be obtained from individuals in aid of the public donations, were the number of the aforesaid trustees now alive and willing to act increased, and such powers and privileges granted them by an act of incorporation as are requisite for carrying into effect the intentions of the legislature in the said act, more fully recited :

"II. *Be it therefore enacted*, That William Fleming, William Christian, Benjamin Logan, John May, Levi Todd, John Cowan, Edmund Taylor, Thomas Marshall, Samuel McDowell, John Bowman, George Rogers Clark, John Campbell, Isaac Shelby, David Rice, John Edwards, Caleb Wallace, Walker Daniel, Isaac Cox, Robert Johnson, John Craig, John Mosby, James Speed, Christopher Greenup, John Crittenden, and Willis Green are hereby constituted a body corporate and public, to be known by the name of the Trustees of the Transylvania Seminary ; and by that name shall have perpetual succession and a common seal, with power to change and renew their seal at pleasure, and to exercise all the other powers and privileges that are enjoyed by the visitors and governors of any college or university within this State not herein limited or otherwise directed.

"III. *And be it further enacted*, That the said eight thousand acres of escheated lands in the district of Kentucky, late the property of Robert M'Kenzie, Henry Collins, and Alexander M'Kee, be hereafter held and the same is vested in the before-named trustees and their successors for the purposes and under the reservations in the said act expressed.

"IV. *And be it further enacted*, That the before-named trustees and their successors, by the name of the Trustees of the Transylvania Seminary, shall be able and capable in law to take, hold, purchase, receive and retain to them and their successors forever, any lands, tenements, rents, goods, or chattels of what kind soever which shall be given, or devised to, or purchased by them for the use of the said seminary ; and the same or any part thereof to lease, sell, alien, grant or dispose of in such manner as to them may appear most for the advantage of the said seminary."

The above section in addition provides an oath to be administered to the members of the Board of Trustees, as also to the President and Professors of the institution.

"V. *Be it enacted*, That twenty thousand acres of land belonging to the said Transylvania Seminary, if so much shall at any time be obtained for its use, shall forever be exempted from all public taxes, and any greater quantity belonging to the same shall likewise be exempted from taxation until the first day of January which shall be in the year of our Lord one thousand seven hundred and ninety-five, any law to the contrary notwithstanding. And that all professors, masters, students enrolled in the said seminary, so long as they continue to reside therein, shall be exempted from militia duty. And all lands within the said district, the whole amount of which does not exceed twelve thousand acres, that now are or may hereafter become escheatable to the commonwealth, shall, when escheated, be vested in the said trustees and their successors as a free donation from the commonwealth for the use of the said seminary ; and upon paying the office fees and other charges accruing thereupon, a title shall pass to said trustees, as if such lands had been purchased by them at their full value."

Dr. Davidson reports that the twelve thousand acres which are mentioned in this article as being escheatable to the Commonwealth in the year 1783 were never actually escheated. The formal process of escheating them was somehow delayed until the year

1792, when Kentucky was erected into an independent State, and the new government, being solicitous to attract population, speedily passed a law exempting lands from escheatment, a change by which the prospects of the Seminary in that direction were forever defeated. (History, p. 289.)

The remaining sections of the statute do not require to be cited in full, since they provided nothing more than such arrangements as were customary in the case of public institutions of learning. It was determined that the first meeting of the trustees should be held at John Crow's station in Lincoln County, on the second Monday in November, 1783, and regularly every six months thereafter at such places as might be convenient. It will be seen that the Rev. David Rice, who, it is likely, had already signified to Mr. Wallace his intention of removing to the West, was honored with a seat in the board. At the first meeting, on the 10th of November, 1783, he made his appearance, and was duly elected to the position of chairman, an office that he retained till 1787, when he resigned, and Judge Harry Innes was appointed in his stead. (Davidson, p. 289.)

The special features in which the act that was passed at the instigation of Wallace was in advance of that which had been passed under the direction of Col. Todd consisted in the circumstance that the trustees were incorporated, and such powers and privileges were bestowed upon them as were requisite to carry into effect the purpose of the Virginia Legislature with regard to the donation it had made for the Seminary. The new board did the best that was possible, but they were not successful in opening the school for instruction until the month of February, 1785.

The present would seem to be a fitting opportunity to perform an act of justice to an eminently pious man whose merits have been too much overlooked by Kentucky historians. The credit of being the first minister of the Presbyterian Church on the Western waters is sometimes, but possibly with incorrectness, assigned to the Rev. David Rice. (Perrin, History of Kentucky, p. 502.) It belongs with greater probability to his son-in-law, the Rev. James Mitchel. Mr. Mitchel was born at Piqua, Penn., on the 29th of January, 1747. (Foote, 2, 134.) His youthful years were likely passed at Cub Creek, in Charlotte County, Virginia. It was there that he embraced religious faith in early life (2, 135), and in his seventeenth year became a communicant of the church under the pastoral charge of Rev. Robert Henry. Though he was five years the junior of Caleb Wallace, there is reason to suspect that the pair were intimate friends in boyhood. Mitchel is believed to have been a private member at Cub Creek during the period of Wallace's pastoral connection with it. It was here that he became acquainted with David Rice and his family, who owned a landed estate and resided in the community during the year 1771. (2, 80.)

For a time during the course of the Revolutionary War, Mitchel was a tutor at Hampden-Sidney College. (2, 135.) He became a candidate for the ministerial office on the 27th of April, 1780, and was formally licensed at Concord, one of the churches of David Rice in Bedford, in October, 1781. (Foote, 2, 136.) Immediately after this ceremony the Presbytery, perhaps upon his own suggestion, advised Mr. Mitchel "to take a tour to the Western Territories." (2, 136.) There are reasons to believe that this advice was fulfilled. Possibly the glowing accounts given by young Mitchel were the means of attracting the particular attention of Mr. Rice to this portion of the country. It would hardly be too much to affirm that Mitchel was the occasion if not the cause of Rice's removal to Kentucky.

In the year 1782 Mitchel was married to Francis Blair Rice, one of the daughters of David Rice. Almost immediately after this event Mitchel returned to Kentucky. (Foote, 2, 136.) Mr. Rice is believed to have accompanied him (Foote, 2, 80); and being the father of eleven children, he may have accepted the representations of his new son-in-law to the effect that it would be easier to provide for them in Kentucky than elsewhere. Mr. Rice was not pleased with the often dishonest speculations that were at the time going forward in real estate, and made his way back to Bedford without purchasing an acre of the virgin soil. The titles to land were so insecure that he was unwilling to risk any thing in connection with them. (Foote, 2, 80.)

But Mr. Mitchel remained here during the winter of 1782-'83, where the record affirms that "he preached the gospel and supported his family by teaching school." (Foote, 2, 136.) It was likely by means of this preaching and by that which he had performed in the winter of 1781-'82 that he laid the foundation of the Presbyterian congregations at Concord (Danville), Cane Run, and the Forks of Dix River. The records of Hanover Presbytery show that these were already established congregations when they extended a call, subscribed by three hundred signatures, to David Rice on the 20th of May, 1783. It is more likely that they were organized under the labors of James Mitchel than under the labors of Rice during his brief visit in 1782. The call in question was likely prepared by Mitchel and subscribed under his direction.

Mitchel had returned to Bedford in 1782 for the purpose of claiming his bride. He went thither again in October, 1783, chiefly for the purpose of receiving ordination to the complete functions of the Christian ministry. This event followed at Buffalo church on the 4th of August, 1784.

Shortly afterward he was again present in Kentucky. Mr. Rice, it will be remembered, had been appointed Chairman of the Board of Trustees of Transylvania Seminary in November, 1783. The friends of Mitchel, who was then in Virginia, did their endeavors to prevent his return to the West, and to that end sought to have him settled over the churches of Hat Creek and Cub Creek (2, 136); but the suggestions which Rice is supposed to have sent from Kentucky were of more avail. In the autumn of 1784 Mitchel again arrived in the West, where he was appointed the first teacher in Transylvania Seminary. In February, 1785, the institution was opened for instruction in the house of Mr. Rice, near Danville. (Davidson, 289.) Dr. Davidson, who unhappily was not intimately acquainted with the distinguished career of James Mitchel, declares that Mr. Rice himself was the first teacher of Transylvania (p. 67), but in that particular he was unquestionably mistaken. (Collins, 2, 183, 184.) Rice was never at any time a teacher in the school.

In March, 1786, Mitchel was again in Bedford, Va., where he was installed as pastor of the church at the Peaks of Otter, over which his father-in-law had formerly presided for a number of years. The position suited admirably his excellent powers, and he held it firmly until his death on the 27th of February, 1841. During this period of four and fifty years he was one of the best ornaments of the Presbyterian communion in Virginia.

Returning from this too lengthy digression, it may be allowed to suggest that the interests of Transylvania Seminary, which he certainly regarded in the light of a foster child, if not indeed as his own offspring, were in many ways dear to Mr. Wallace. Among the various eminent gentlemen who had a place on the Board of Trustees, it is possible that none was more punctual in attending upon the duties that were required.

On the 13th of October, 1788, the institution was removed from Danville to Lexington. By that change the name by which it had been christened at the beginning became to a degree inappropriate. Mr. Wallace had called it Transylvania Seminary because it was at first contemplated that it would be permanently situated in the district of that name. This district was bounded on the north by Kentucky River, on the south by Cumberland River, on the east by Powell's Mountain, and on the west by the Ohio. But though it was now removed from the territory of Transylvania, the former title was suffered to remain.

The other bill, to which reference was made at the beginning of the present chapter as having been carried by Wallace through the Legislature of Virginia at the May term for 1783, related to the subject of marriage. On Wednesday, the 22d of May, three days after he had taken his seat, he brought forward "A petition of sundry inhabitants of the county of Lincoln, setting forth that while thankfully acknowledging the attention of the Legislature in granting them a court of General Judicature, they had confidence that their further reasonable petitions for the good of that remote settlement would be favorably heard; and prayed that an act might pass to regulate their militia; to dispose of the orphans of poor people; respecting estrays, and to authorize the solemnization of the rites of matrimony by some civil power." (Journal, p. 15.) The document was referred to a committee, by whom it was not kindly received. These kept it close until the 23d of June, and then reported adversely, recommending that it be referred to the next session of the Assembly. The suggestion relating to the care of the orphans of poor people was likely conceived to be a thrust at the vestry system, while that concerning marriages was regarded as an infringement upon the immemorial rights and perquisites of the established clergy.

The case was unpromising, but Wallace did not lose heart. He obtained leave to introduce a bill to authorize and confirm marriages in certain cases, and it was duly presented on the 24th of June. On the 25th it passed to a second reading, and on the 26th it was formally enacted. The text of it is worthy of being inserted, for the reason that it constituted the most radical breach that had yet been made upon the privileges of the Established Church at the point in question:

"AN ACT TO AUTHORIZE AND CONFIRM MARRIAGE IN CERTAIN CASES.

"I. WHEREAS, It hath been represented to this present General Assembly that many of the good people in the remote parts of this commonwealth are destitute of any persons authorized by law to solemnize marriages amongst them, *Be it enacted*, That where it shall appear to the court of any county on the western waters that there is not a sufficient number of clergymen authorized to celebrate marriages therein, such court is hereby empowered to nominate so many sober and discreet laymen as will supply the deficiency, and each of the persons so nominated, upon taking the oath of allegiance to this State, shall receive a license to celebrate the rites of matrimony according to the forms and customs of the church of which he is reputed a member, between any persons regularly applying to him therefor within the said county; that is to say, the parties so applying shall produce a marriage license, obtained as the law requires, or a certificate that their intention of marriage has been thrice published agreeable to the directions of this act, and

no legal objection made against their joining together as husband and wife, given under the hand of the person by whom such publications were made, and witnessed by a magistrate or commission officer of the militia.

"II. *And be it further enacted*, That all publications of banns of matrimony on the said western waters shall be made on three several days, and not in less time than two weeks, in open and public assemblies convened for religious worship or other lawful purposes within the bounds of the respective congregations or militia companies in which the parties to be married severally reside. For a certificate of publication, the person making the same may demand and receive three shillings, and for the celebration of a marriage the licensed minister or layman may demand and receive six shillings, and no more; and any person who shall certify a publication of such banns or celebrate a marriage contrary to the directions of this act, shall forfeit and pay the sum of five hundred pounds, to be recovered with costs in any court of record, the one half to the informer and the other half to the overseers of the poor for the use of the parish, and shall moreover suffer one year's imprisonment without bail or mainprize.

"III. And whereas, some magistrates and others not authorized by law have been induced by the want of ministers to solemnize marriages on the said western waters; *be it enacted*, That all such marriages heretofore openly and solemnly made, or which shall be so made before this act shall take effect, and have been consummated by the parties cohabiting together as husband and wife, shall be taken, and they are hereby declared good and valid in law, and all and every person or persons solemnizing such marriages are and shall be exonerated from all pains and penalties therefor, as if they had been authorized ministers; *Provided always*, that nothing herein contained shall extend or be construed to extend to confirm any marriages heretofore celebrated, or which may hereafter be celebrated between parties within the degrees of consanguinity or affinity forbidden by law, or where either of the parties were bound by a former marriage to a husband or wife yet alive."

CHAPTER III.

SUPREME COURT OF THE DISTRICT OF KENTUCKY.

The act which constituted this court was passed at the May term of the General Assembly in the year 1782, and may be consulted in Hening's Statutes, vol. 11, p. 85, f f. Its jurisdiction, organization, and privileges are well described in the words of the statute itself :

" I. WHEREAS, the mode of administering justice has become exceedingly inconvenient and burthensome to suitors living westwardly of the Alleghany Mountains ;

" *Be it therefore enacted*, That from and after the first day of August next the counties of Jefferson, Fayette, and Lincoln shall be one district, and called the Kentucky District, for which there shall be a supreme court of judicature of original jurisdiction (separate and independent of all other courts except the Court of Appeals), which said court shall have cognizance and jurisdiction of all treasons, murders, felonies, crimes, and misdemeanors committed in the said district, matters and things at common law and in chancery arising therein, of which the high court of chancery and the general court now have cognizance ; and from and after the said first day of August the high court of chancery and the general court shall cease to exercise any original jurisdiction whatsoever within the said district, except in the case before mentioned, and thereafter the court of the district shall exercise the same controlling power over the county and other inferior courts within the district which is now exercised over them by the high court of chancery and the general court, and all appeals from such inferior courts shall be made to the court of the district. There shall be one judge and two assistant judges for the said court, chosen by joint ballot of both houses of Assembly and commissioned by the Governor, who shall reside in the district, and any two of them may hold a court ; and vacancies during the recess of Assembly shall be supplied in the manner pointed out by the Constitution." . . .

" They shall hold four sessions in every year, to commence on the first Mondays in March, June, September, and November, and shall continue eighteen days, exclusive of Sundays, unless the business depending before them be sooner finished." (Hening, pp. 85, 86.)

After a considerable variety of details, which do not require to be recited in this place, it is further provided by the statute that " There shall be a person appointed by joint ballot of both houses of Assembly to attend the said court as attorney for the Commonwealth, and in case of a vacancy during the recess of Assembly, it shall be supplied by the Governor and Council *pro tempore*, which said attorney and judges shall hold their offices on the same terms and be punishable for malfeasance therein in the same manner with the judges of the general court and the attorney general, and shall, as well as their clerk, be exempted from military duty."

It was also stipulated that all the officers of the district court should receive the same fees as were given to like officers in the high court of chancery and the general court. The sum that should be necessary for the payment of salaries was to be raised by a tax of twenty shillings upon every action that might be commenced in the court. At the end of every quarterly term the clerk was instructed to pay "the sum of fifty pounds to the judge, the sum of twenty shillings to each assistant judge for every day they shall respectively attend, and the sum of thirty-seven pounds and ten shillings quarterly to the attorney of the Commonwealth." (Hening, 11, 90.)

The amount that was produced by the above tax upon legal actions was found to be entirely inadequate. The first court under the law was opened at Harrodsburg by John Floyd and Samuel McDowell on the 3d of March, 1783, and Walker Daniel, in a letter addressed to Governor Harrison on the 21st of May, 1784, declared that the judges had not then received as much as ten pounds apiece for their services. (Cal. Va. St. Pap., 3, 587.) The law provided that the first session of the court should be held at Harrodsburg. No other session was held at that point. The judges, in the exercise of a privilege that had been conceded by the statute, immediately removed it to Danville. (Collins, 1, 20.)

The *personnel* of this the first Supreme Court on the Western waters is a topic of interest. The delegates representing Kentucky in the Legislature of 1782 were so solicitous on this point that before the May term had closed they presented certain suggestions to the Governor regarding the best manner of filling the positions that had been created by the act just now passed. It was their earnest desire to induce Edmund Pendleton to accept the office of Chief Justice, but it would seem that he withdrew his consent before the question was put to a vote before the Legislature. (Cal. 3, 204.)

They also recommended two candidates, either of whom would be a suitable person for the place of Commonwealth's Attorney. The first of these was Col. John Todd, "a man of abilities and a practicing attorney," and the second was Walker Daniel, Esq., late of Halifax County. On perceiving that Mr. Pendleton would not permit his name to be used, the Governor nominated John Todd for Chief Justice and Walker Daniel for Attorney. Possibly Col. Todd met his death at the Blue Licks before he was informed of the dignity that had been conferred upon him.

In their letter, dated the 2d of July, 1782, the delegates from Kentucky had named John Floyd, William Pope, Stephen Trigg, Levin Powell, and James Garrard as suitable parties from whom to choose two assistant judges of the court. His Excellency employed his discretion by sending in the names of John Floyd and Harry Innes. The court as thus constructed was of absolute importance to the welfare of the District of Kentucky. The most correct and graphic account of society as it existed in that period is supplied by a letter from Walker Daniel to the Governor of Virginia, under date of May 21, 1784. (Cal. 3, 584-88.) In view of the condition there described, it was indispensable that this representative of the sovereignty of Virginia should speedily begin its operations, else it would no longer be possible to restrain the lawless elements that had collected in such abundance on the frontiers of civilization.

Unhappily the citizens of Kentucky were doomed to a tedious delay. A breach had been made in the *personnel* of the new court by the death of the Chief Justice on the 19th of August. Furthermore, on the 9th of September Harry Innes addressed a letter to the Governor, stating certain reasons why he had felt constrained to decline the place of assistant judge. Especially he declared that "the salary was too small to tempt him to sur-

render the practice of the law." (Cal. 3, 293.) By these changes nobody was left but Floyd and Daniel, and according to the terms of the statute they were not competent to act.

In his communication of the 9th of September Col. Innes had remarked that in case Mr. Todd should decline to accept the office of Chief Justice, and the Executive should confer that appointment upon him, he would accept it. (Cal. 3, 293.) When the Legislature was next convened in October, 1782, the heroic death of Col. Todd was announced, and mindful of the assurance that had been given by Mr. Innes, Governor Harrison sent in his name, and he was confirmed in October, 1782. (Journal of the House of Del. for October, 1785, p. 52.) To complete the number of assistant judges, Samuel McDowell, who at the moment was engaged as a member of the Western Commission in Kentucky, was nominated as one of the assistant judges. His commission reached him in Lincoln County, and was accepted in a letter under date of December 22, 1782.

The *personnel* of the court was now once more complete, but Innes was absent in Virginia, having stipulated at the outset that he should not be required to go to his post until the approaching spring season. (Cal. 3, 293.) When the day for the next term of court came round, according to the provisions of the law, McDowell and Floyd attended at Harrodsburg and held the first session. (Collins, 1, 20.) One of their most important acts was to transfer the seat of the court from Harrodsburg to Danville, where it remained as long as it continued in existence.

The time was close at hand when death should make another breach in the court. Col. Floyd was killed by the Indians on the 12th of April. The Western Commissioners probably heard of that casualty before they quitted Kentucky on the 16th of April, 1783, and may have carried the earliest tidings with them to Virginia. Wallace, who was a member of the Commission, having likewise been honored with a seat in the House of Delegates, contrived, before the Legislature adjourned on the 28th of June, to procure his own election in the place of Col. Floyd. His commission was immediately made out by Gov. Harrison and forwarded in a letter dated the 2d of July, 1783. His reply is given as follows:

"BOTETOURT COUNTY, August 14, 1783.

"Sir: I received Your Excellency's letter of the 2d ulto. accompanying a commission appointing me one of the Assistant Judges of the Supreme Court in the District of Kentucky, and beg leave to assure Your Excellency that no one can be impressed with a more lively sense of such a token of public confidence; yet the consideration of my insufficiency to fill the office would most certainly induce me to decline the honor intended me, were I not convinced that it is indispensable to the interest of that remote quarter of the country and its friendly attachment to the Government of Virginia that this court should be organized and proceed to business without further delay.

"I purpose, therefore, to give attendance at the next and succeeding terms. But the uncertainty of obtaining a Presiding Judge qualified for the office, and the want of salaries sufficient to enable the Assistants to devote themselves to the study of the duties of their trust, do so magnify themselves in my mind upon every reconsideration that I fear I shall afterward be constrained to resign. I have the honor to be, with every sentiment of respect,

"Your Excellency's Most Obedient Servant,

"CALEB WALLACE."

A statement contained in the above relating to "the uncertainty of obtaining a Presiding Judge qualified for the office" is somewhat confusing. There can be no question that Col. Innes expressly declares that he was elected to the office of Chief Justice in October, 1782. (Journal for Oct. Term, 1785, p. 52.) By consequence the position of Chief Justice was at that moment filled by him. The most probable explanation of this discrepancy is, that though Col. Innes was chosen to be Chief Justice in October, 1782, he had not yet signified his acceptance of that position, and on the 14th of August, when Judge Wallace was writing from Botetourt, it was still doubtful whether he would accept. He reached a favorable conclusion in due season, however, and coming to Kentucky in the autumn of 1783, himself, McDowell, and Wallace opened court at Crow's Station, near Danville, on the 3d of November, 1783. (Collins, 2, 273.)

The next breach in the circle of officials belonging to the court occurred when the able young attorney, Walker Daniel, founder of the town of Danville, which had been named in honor of him, was killed by the Indians, about six miles from Bullitt's Lick, on the 12th of July, 1784. (Cal. 3, 605.) The position occupied by Daniel proving so much more lucrative and otherwise desirable than the office of Chief Justice, Col. Innes resigned his position at the head of the court and was elected by the Legislature to fill the vacancy that was occasioned by the loss of Daniel. His letter of resignation was laid before the House of Delegates on the 17th of November, 1784, and on the same day he was elected to be attorney general. (Journal for Oct. Term, 1784, pp. 26 and 27.)

On the 5th of January, 1785, Cyrus Griffin, Esq., who had formerly been one of the representatives of Virginia in the Continental Congress, was chosen to be Chief Justice in the place of Col. Innes; but on the 31st of October, 1785, his resignation was announced. (Journal for October, 1785, p. 15.) I have met with no account of Griffin's presence in Kentucky. On the 15th of November, 1785, the court was again completed by the election of Col. George Muter to the office of Chief Justice (Journal for Oct. Term, 1785, p. 39), who held the position until the body was dissolved in 1792, and a few months later was made Chief Justice of the State of Kentucky. Col. Muter had likely become a resident of Kentucky during the year 1784; he was a member of the convention which assembled at Danville on the 23d of May, 1785 (Collins, 1, 354), and a prominent figure in that of the 8th of August in the same year. (Littell, Political Transactions, Appendix, pp. 7-12.)

Samuel McDowell is believed to have resigned his place on the bench during the year 1786; in August of that year he figures as one of the justices of the county court of Mercer County. (Collins, 2, 605.) Possibly the prominence which he had acquired as chairman of the conventions that were being held in favor of the admission of Kentucky into the Union as an independent State may have suggested to his mind the indelicacy of retaining an office that had been bestowed by the State of Virginia. If exact information were attainable, it would likely be discovered that the vacancy occasioned by the departure of McDowell was shortly filled by the appearance of Benjamin Sebastian, who had recently come to Kentucky in the character of a clergyman of the Episcopal Church. (Collins, 1, 438.)

At the May term for 1784 the Legislature increased the salaries of the officers of the court, allowing the Chief Justice £250 a year, each of the Assistant Judges £200 a year, and the Attorney General £150. (Hening, 11, 397.) At the October term of the same year there was a further advance, by which all of the judges alike received £300 a year. (Hening, 11, 499.)

CHAPTER IV.

RELIGIOUS ATTITUDE OF JUDGE WALLACE.

No information has been transmitted relating to the motives which influenced him to retire from the ministry of the Presbyterian Church, in which for twelve years he had enjoyed success and consideration. To indulge in mere speculations would be useless. It has been suggested, in another portion of this volume, that he entered the ministry under the excitement of a warm religious revival at Princeton College; he was also sensible of possessing both tact and talent for judicial and political concerns.

What is the most important item in this connection may be found in the circumstance that he exhibited always and everywhere the perseverance of the saints. Especially prominent was his devotion to the Presbyterian Church; his exertions to promote its prosperity constitute one of the features of his career in Kentucky.

After his removal to the West, Judge Wallace remained for some time at Trigg's Station, in the vicinity of Harrodsburg. That place had been settled and fortified by his brother-in-law, Stephen Trigg, as early as the year 1780; it was here that he found Mary Trigg in her widowhood, a few weeks after the battle of the Blue Licks. Upon her return to her friends in Virginia, it is possible that Wallace had been deputed to have the charge and management of whatever landed possessions might have been left behind by her lamented husband in Kentucky.

Cane Run congregation was collected at Trigg's Station at an early day, most likely by the enterprise of James Mitchel, in the year 1781. It is believed to have been the earliest assemblage for Presbyterian worship on the Western waters. Judge Wallace made his appearance in this congregation during the winter of 1782-'83, and must have been recognized as one of its foremost figures. In October, 1783, David Rice came to reside in this vicinity. (Bishop's Rice, p. 146.) At Trigg's Station, in the year 1784, most likely in the early summer of the year, was organized Cane Run church, the first church of the Presbyterian communion in Kentucky, and the mother of other churches of that communion. The best authority on this topic is conceived to be a manuscript production, entitled "The Life and Times of Robert B. McAfee and his Family Connections, Written by Himself. Commenced April 23, 1845." In that document Mr. McAfee reports as follows:

"In the Fall of 1783 the Rev. David Rice came to Kentucky, and the Rev. Adam Rankin. The former settled near Danville, and the latter near Lexington. Mr. Rice organized a Presbyterian church on Cane Run, three miles east of Harrodsburg, and the latter another near Lexington. The Salt River people were included in the Cane Run church, and in March, 1784, Mr. Rice baptized their children. My grandfather, James McCoun, and my uncle, George Buchanan, were among the first elders."

By the above it appears that Cane Run was a regularly constituted church as early as 1784, and included the Presbyterian people of Salt River, who afterward withdrew and formed the church called New Providence. George Buchanan and James McCoun, who were among the first elders of the church at Cane Run, later became members of the first board of elders at New Providence. Cane Run church was also recognized as a sort of center and headquarters for other Presbyterian communities. Dr. Bishop says that Rice organized a congregation "in what is now called Mercer County, with as much formality as their distance from other churches and other disadvantages would admit." (Rice, p. 69.) The reference here is manifestly to the church at Cane Run. Of this church he further reports that:

"They had three places of worship, which were known by the names of Danville, Cane Run, and the Forks of Dick's River." (Rice, p. 69.) Danville and the Forks of Dick's River were centers of Presbyterian population, which, in addition to the community at New Providence, were originally tributary to Cane Run church. Mr. Rankin did not come to Lexington in the year 1783, as McAfee relates; his arrival occurred in October, 1784. (Davidson, p. 73.)

The first house of worship erected for the purpose of Presbyterian worship in Kentucky was apparently the house at Cane Run. From another McAfee manuscript, which passes under the title, "The History of the Rise and Progress of the First Settlement on Salt River, and of the Establishment of the New Providence Church," one may be clearly certified that the meeting-house at Cane Run was built in the year 1784. (Durrett's copy of the MS. pp. 35 and 48.) It was situated about a mile from Trigg's Station, and three miles from Harrodsburg, on the lands of Capt. John Haggin. (Bishop's Rice, pp. 148, 149.) Though it was an humble log structure, it was regarded as good enough to serve the wants of worshipers until the year 1814 or 1815, at which date the congregation removed to Harrodsburg, where they have flourished continuously ever since. (Bishop's Rice, p. 149.) Dr. Bishop also reports that the meeting-house at Danville was constructed in the year 1784 (Rice, p. 147), but this statement appears to have been the result of confusing Danville with Cane Run.

The church organization at Harrodsburg is believed to be as much as twelve months older than any other Presbyterian church in Kentucky. No other Presbyterian church was formally organized within the limits of the State until after the close of the third General Conference, in October, 1785. (Davidson, p. 77.)

There being no other regular church establishment among the Presbyterians, it was in no sense an accident that the three General Conferences of the year 1785, which prepared the way for organized Presbyterianism in Kentucky, should have all been called to assemble at Cane Run meeting-house. The first of these was convened on Wednesday, the 30th of March, 1785; the second met on the 12th of June following, and the third on the first Tuesday in October. (McAfee, *History of the Rise and Progress, etc.*, Durrett's copy, pp. 41-56.)

At the earliest of the above conferences were present three ministers and one probationer. The most prominent of the number was, of course, the Rev. David Rice, who, though he was nine years his senior, had long been an intimate associate and fellow-laborer of Wallace, and was his predecessor in the pastoral office at Cub Creek in Virginia. James Mitchel, the father and founder, but not the patriarch, of the Presbyterian communion of Kentucky, had been a playmate of Wallace in his youthful time at the same

place. The third minister was Adam Rankin, and the probationer was Terah Templin, who, like his kinsman John Templin (Davidson, p. 75), was probably residing at Cane Run.

Minutes have been transmitted of two of the above conferences. These show that in each instance Rice was chosen president and Wallace secretary. The reason why Judge Wallace never afterward figured in any of the courts of his church may probably be found in the fact that, having left the ministry, he did not consider it appropriate for him to assume the position of ruling elder. By consequence he had no official station, and could not readily be named for a seat in those bodies.

Judge Wallace is believed to have remained at Trigg's Station for several years, at the end of which period he removed to the north side of Kentucky River, and permanently established himself on the banks of South Elkhorn Creek. This change was perhaps effected in the year 1786. In August, 1785, he sat in the Danville Convention as a member from Lincoln County (Marshall, *History of Kentucky*, 1, 207); in the year 1787 he sat as a member of the same body from Fayette. (Collins, 1, 354.)

In connection with his friend, Col. Thomas Marshall, he took part in the work of setting off the county of Woodford, and must have been engaged about the same period as one of the founders of Woodford church, which continued to be his regular place of worship down to the close of his life. He was likewise often seen at Pisgah church, which lay convenient to his home in a different direction.

The deistical sentiments that were so highly entertained in different portions of the country soon after the close of the war for independence were received with no kind of favor at his hands. It is easy to believe that he sympathized with the attacks which the Rev. Cary Allen, his nephew by marriage, was in the custom of making against these opinions, both in Kentucky and Virginia. (Foote, 2, 228, 229, and 233, 234.) It was always his delight to stand firmly by the principles he had derived from the Fathers, and which himself had proclaimed from the pulpit. Mrs. Elizabeth Wallace, of Lexington, Mo., supposed to be the only person now alive who was personally acquainted with him, says that "he was punctilious in his attendance on the services of the church, and required his family, both white and black, to attend, providing horses and conveyances for all alike." An entertaining but somewhat spiteful picture of him as he appeared toward the close of his life, in the month of September, 1809, is supplied in the autobiography of the late Chief Justice Robertson (pp. 29, 30). Young Robertson was compelled to apply to him, as one of the members of the Court of Appeals, to subscribe his license to practice law, but unhappily he chose the Sabbath day on which to transact this business. Judge Wallace was at the moment preparing to attend the regular services of Woodford church, and his visitor was somewhat ungraciously received. The incident suggested nothing more clearly than that Wallace was a thorough-paced Presbyterian, and hence was not slow to declare his sentiments respecting a breach of the Sabbath.

When the extraordinary commotion appeared that accompanied the great revival which prevailed in Kentucky after the year 1800, it was to have been expected that Judge Wallace would set an example of sobriety. None of the excesses that befell a few miles away at Cane Ridge and at Bethel were seen or suffered at Woodford church. The Rev. George Addison Baxter, D. D., a gifted man, and later the President of Washington College in Virginia, who was a nephew of Wallace by marriage, visited Woodford in the year 1801, and for a time was almost carried too far by the wonderful things that he saw and heard. (Foote, 2, 282-288.) But Judge Wallace gave small heed to any of the manifes-

tations in question. He stood his ground, waiting for the storm to subside which had swept away his friends, Robert Marshall, Barton W. Stone, and many others. By the year 1814, in which he passed away, it had almost entirely ceased, and the wisdom of his course was vindicated. Though he had stood forth unmoved by the tumult of the revival, he was yet studious to maintain a devout and reverent temper. One of the most striking passages in his last will and testament, composed a few weeks before his decease, expresses the humble faith which he had long held and still cherished in "the merits and mediation" of his Redeemer.

CHAPTER V.

POLITICAL ATTITUDE OF JUDGE WALLACE.

The sympathy which he felt in the cause and struggle for American independence has already been described. That struggle was practically at an end when he entered Kentucky in the character of a permanent resident about the first of September, 1783. But though peace was concluded, the Indians continued to give annoyance as late as the year 1795.

His father, Samuel Wallace, his brother, Andrew Wallace, and his brother-in-law, Henry Pawling, with their respective households, as previously suggested, are believed to have effected their removal in company with the Western Commissioners in the autumn of the year 1782. The family of Judge Wallace, at the moment when he took the "Wilderness Road" for the Western waters in 1783, consisted of his wife, Rosanna Christian, and their two sons. Of these the first, born on the 16th of April, 1780, had received the name of Samuel McDowell, in honor of the distinguished Judge of that name, who, it will be remembered, was the father of Wallace's first wife. William Christian Wallace, the second son, was then about two years of age, having been born on the 10th of October, 1781. A little more than a year after Judge Wallace's arrival in Kentucky, Col. Benjamin Logan obtained information touching an extensive invasion of the district that was proposed by various tribes of Indians during the summer of 1785. In consequence of this menace the latter, in November, 1784, convened a number of the inhabitants at Danville, which was then the principal town, and continued for a number of years to occupy the position of the capital city. (Littell, *Political Transactions*, Frankfort, 1806, p. 15.) Out of this convocation, which in all probability was attended by Wallace, whose residence was situated only a few miles away, there grew the well-known series of nine several conventions that were held with reference to the admission of Kentucky as an independent State into the Federal Union. It is much to be deplored that the proceedings and transactions of all these conventions are not more accessible to the student of this portion of Kentucky history. If the original documents are yet in existence, and the Commonwealth would make an appropriation for the purpose of printing them, a service would thereby be done to many people. The most meritorious labor that has yet been performed in that field of research has been performed by William Littell, Esq., whose brief volume, entitled "*Political Transactions in and Concerning Kentucky*," has become the storehouse from which subsequent writers have drawn the bulk of their materials.

Considering the inadequate amount of information that prevails touching those nine conventions, it is believed to be advisable in this connection to supply merely the dates of each of them and to specify, as far as present information may justify, which of them Judge Wallace had a seat and voice in:

First Convention, Danville, December 27, 1784. It is not known whether Wallace was a member.

Second Convention, Danville, May 23, 1785. Wallace was a member, from Lincoln County. (Littell, Political Transactions, Appendix, p. 9.)

Third Convention, Danville, August 8, 1785. Wallace a member, from Lincoln County. (Marshall, History of Kentucky, 1, 207.)

Fourth Convention, Danville, September 26, 1786. It is not known whether Wallace was a member.

Fifth Convention, Danville, September 17, 1787. Wallace a member, from Fayette County. (Collins 1, 354.)

Sixth Convention, Danville, July 28, 1788. Wallace a member, from Fayette County. (Collins, 1, 355.)

Seventh Convention, Danville, November 23, 1788. Wallace not a member. (Littell, Political Transactions, p. 69.) This particular meeting became memorable in subsequent years when the debate had arisen with reference to a supposed Spanish Conspiracy.

Eighth Convention, Danville, July 20, 1789. It is not known whether Wallace was a member.

Ninth Convention, Danville, July 25, 1790. It is not known whether Wallace was a member.

He was a member of the Constitutional Convention which met on the first Monday in April, 1792, to draft a Constitution for the new State of Kentucky, and likewise of the second Constitutional Convention that assembled at Frankfort on the 17th of August, 1799. (Collins 1, pp. 355, 356.)

The Republican or Democratic party in politics prevailed in Kentucky from the earliest time. During the progress of the nine conventions whose dates have been recited above, there was a degree of asperity in the conflicts that were carried on between this party and that of the Federalists. In the limits of the district the Federalists, marching under the banner of Col. Thomas Marshall, father of the Chief Justice of the United States, were pleased to style themselves by the name of the "Country Party." They stigmatized their opponents as the "Court Party," an epithet which, Mr. Humphrey Marshall says, was bestowed with reference to the fact that the leaders of it, Gen. Wilkinson excepted, were members either of the bench or of the bar of the Supreme Court of the District. (History of Kentucky, 1, 322.) The foremost of these leaders for several years was unquestionably George Nicholas, Esq., of Mercer County; that position was later occupied by John Breckinridge, of Fayette County. Col. Thomas Marshall was highly rejoiced when it was permitted him to capture for the Federal interest Col. George Muter, who stood at the head of the Supreme Court, a piece of good fortune that has been attributed to the circumstance that Muter had "removed from the vicinity of Danville and a sinister influence" to be a neighbor of Col. Marshall, on the north side of the river. (Marshall, 1, 297.)

Holding a seat on the bench of the Supreme Court, Judge Wallace was naturally an important figure in the so-called "Court Party," and doubtless came in for his share of the abuse which it was then fashionable for political adversaries to bestow upon each other. His tendency in favor of the principles of the Republican party had been cultivated from earliest childhood; it was also strengthened by his devotion to Mr. Jefferson, because of the exertions of the latter in the conflict for religious freedom. It must likewise be remembered that Mr. Madison, the incomparable lieutenant of Jefferson in the formation and management of the party, was a school friend of Wallace's, whom he had

always admired exceedingly. As a prominent Republican, it was nothing more than might have been expected that Judge Wallace should be selected as one of the Electors for the State at large in the Presidential conflict of the year 1796. (Collins, 1, 367.) In that character he had much satisfaction in voting for Mr. Jefferson and against John Adams in March, 1797.

The amount of esteem that he enjoyed within the limits of his party is also well indicated by the circumstance that John Breckinridge, one of the greatest men and leaders that has at any time figured in the Commonwealth, considered him worthy to be consulted with reference to the famous Resolutions of 1798, which he was preparing to bring before the Legislature. The following letter will throw some light upon the relations that subsisted between the two friends:

“LEXINGTON, Nov. 5, 1798.

“*Dear Sir:* I congratulate you on your return to your family and county, and am happy to hear that you are in good health. I long to see you, but do not expect to have that pleasure till about the middle of the month, about which time I must go to Frankfort. The letter which you sent me from Botetourt lay in one of my neighbor's houses two or three weeks, so that I did not receive it until a few days ago; so that I have not had time to pay attention to the request made in your letter; indeed I do not think myself capable of draughting any thing of so great importance. I think that the main points to which the legislature ought to attend are the Alien and Sedition laws, and the laws respecting raising regulars and volunteers—all of which are certainly unconstitutional in the most dangerous instances; the first affecting the trial by jury, and the second the freedom of the press, the two great palladiums of liberty. But I think the last is the most highly dangerous, because, if in the present instances the Executive does not abuse the powers with which Congress has invested him, it will become a popular precedent for giving the same powers on some future occasion. I feel great anxiety that the conduct of our legislature should be firm, spirited, and constitutional, and therefore would go to Frankfort in a few days, but I have been lately much harassed by some of my old bodily infirmities, and I have now been here two or three days, by which I find myself injured.

“I am, dear Sir, Your friend and servant,

“CALEB WALLACE

“N. B. Our friend Nicholas is now publishing a letter on the points I have mentioned, which is more masterly than any thing that has appeared on them. If you should doubt the temper of the legislature, would it not be best to keep the business in agitation until the members have an opportunity to read the letter?

“Hon. John Breckinridge, Frankfort Kentucky.”

For a copy of the above performance I am indebted to the kindness of my excellent friend, Ethelbert D. Warfield, Esq., of Lexington, Ky., who has incorporated a large citation from it in his recent fascinating and masterly volume, entitled “The Kentucky Resolutions of 1798.” (Pages 147, 148.)

A second letter from Judge Wallace to Mr. Breckinridge, dated eight days later than the preceding, has also been placed before me by the kindness of Mr. Warfield:

"LEXINGTON, 13th Nov'r, 1798.

"*My Dear Sir:* I am happy to find that the resolutions which have been adopted by the House of Representatives meet with the warm approbation of the people. I am still anxious to hear that they have also been concurred in by the Senate, which I hope has been the case. My health and some business which can not be neglected will prevent my being at Frankfort before the next week. I wish the Convention business to be passed, if possible. Besides my general fears relative to that case, I dread the consequences of the heats and factions which may arise on this question at a time when other great political considerations require unanimity and decision in the legislature, and I fear that nothing can avoid the mischief but postponing the question concerning a Convention.

"A petition from the Trustees of the Transylvania Seminary and Kentucky Academy is gone or going to the legislature, praying for the confirmation of an union of these institutions. If you have not made up your opinion on the subject, I must request that you would suspend doing so until I see you, because I am convinced that the interests of the community may be materially affected by the decision of the Assembly.

"Your Resolutions have given the Palsy to the friends of the Federal Administration in this quarter, which I believe will be their effect throughout this State, and I hope will have considerable effects in some of the other States, and check the high-toned nerves of the Administration.

"I am, dear Sir, your friend and servant,

CALEB WALLACE.

"John Breckinridge, esquire, Frankfort."

It is believed that Judge Wallace stood by the Resolutions of 1798, and maintained his devotion to the Republican party quite down to the period of his death in the year 1814.

CHAPTER VI.

CORRESPONDENCE WITH PATRICK HENRY.

Not one of all the letters that were written to Judge Wallace by correspondents in different portions of the country has been preserved; possibly he was himself little inclined to be careful of that kind of literature. By good fortune, however, it has fallen to my lot to collect a dozen or more scraps of writing that were sent by him to other people. One of these "finds" has been inserted in the preceding chapter in the shape of a couple of letters to the Hon. John Breckinridge. For another of the same sort, I am indebted to Col. William Wirt Henry, of Richmond, Va., who has already been mentioned in connection with the indispensable assistance he has rendered in the production of the present biography.

Upon a careful inspection of the unpublished papers of his grandfather, Patrick Henry, he discovered three epistles that had been received by him from Judge Wallace. The first of these relates in part to business of public concern, and perhaps deserved to be filed among the State Papers of Virginia, but inasmuch as the latter portion of it touches upon affairs of a private nature it naturally found its way to a place in the personal correspondence of Governor Henry. The text of it reads as follows:

"DANVILLE, NOV. 10, 1788.

"Dear Sir: A mulatto slave, brought from Maryland into this District, having made application to the Supreme Court for his freedom on account of his Master's having neglected to make Oath before a Magistrate concerning the slaves brought into the State with him, is the occasion of troubling you with this line. I understand that many hundreds of slaves in the District are entitled to the same privilege by the neglect or rather ignorance of their Masters. I am so happy as not to be anyhow personally interested in the decision, and therefore do not expect to be under any embarrassment as a Judge, but am sorry that a law well intended should prove a trap to many adventurers of the best intentions. I believe very few of them ever heard of the law before, nor should it be expected that a man should or can make himself acquainted with all the laws of the State within ten days after he comes to reside in it. I send by the bearer a petition to the Assembly on the subject, and, from what I have suggested, you will see that I wish the Assembly to take the case into consideration. And I am the more anxious that the Legislature should interfere, as otherwise I fear some confusion may ensue; at least I think it probable that many slaves in this predicament will be hurried off to the Natches and other foreign parts.

"I would also take this opportunity to acknowledge the receipt of your favor of the 15th of August. As the land you sold Penick lies ten or twelve miles out of the Inhabitants and in a quarter frequented by the Indians, neither he nor I have had it in our power

as yet to make further progress in ascertaining the interference of prior claims of which I informed you before. I have advised Mr. Penick to apply to the surveyor for a connected Draught of the claims and for copies of the entries on which they are founded, from which a state of the case might be better understood. But then it will also be necessary to inquire whether the surveys have been made agreeable to the entries. Fear of the Indians, and other avocations that press me, make it uncertain when it will be in my power to go on the Ground for the purpose, which makes me sorry that some other person was not thought of by you and Mr. Penick. But as the case is, I see it must depend on me to make an adjustment between you, which I shall endeavor to do as soon as the danger from the Indians subsides, if not before. I have only leisure to add that I am, with much respect,

"Your friend and servt.,

"CALEB WALLACE.

"N. B. Please to forward the letter to Mrs. Christian by a safe hand."

After the lamented death of her husband in the spring of 1786, Mrs. William Christian shortly returned to Virginia, where she might enjoy the association and the consolations of her brother, Governor Henry, and of other friends of her youthful days. It was for that reason that Judge Wallace, in writing to her, found it convenient to place the letter under cover of the one he had dispatched to Governor Henry. Mrs. Christian resided in Virginia until her death, which occurred in the winter of 1790-'91. She was afflicted with consumption, and in the hope of relief made her way to one of the islands of the West Indies; but her complaint advanced so rapidly that she resolved to return to Virginia to die among her friends. Her wishes were disappointed; she died and was buried at sea. The following letter was written after the decease of Mrs. Christian:

"DANVILLE, March 29, 1791.

"*Dear Sir*: I expect Mr. Terrill will write to you fully concerning the circumstances of Mrs. Christian's Estate, so that it is only necessary for me to inform you, that on a reference by Col. Bullitt and me to the Supreme Court here, that for the first year, commencing from the time of Mrs. Christian's death, £50 are allowed for the support of Sally Christian, £50 for Betsey, £30 for Annie, and twenty for Dolly. As Dolly is living with you, I, as her guardian, request that you would forward to me such a statement of her expenses for the year as will enable me to settle with the Court, and I will transmit the money to reimburse you; or, what perhaps will be as convenient to us both, I will send you a receipt for so much paid on the account due from Mrs. Christian's Estate to me. And the urgency of my affairs obliges me to request that you would instruct Mr. Terrill to pay the balance to me without delay.

"Last year I furnished Major Fontaine with a rough draft of my account, which I expect he has transmitted to you. From this you will see that near two years ago I furnished Mrs. Christian in her distress with orders on the Treasury, and which I now assure you I would not have done in favor of a Brother if I had not expected to have been repaid long before now.

"With respect, I am, dear Sir, your most obt. servt.,

"CALEB WALLACE."

The will of Col. Christian, made in March, 1786, provided that his wife, Anne Henry, should come into possession of the whole of his property for the benefit of herself and the children; but in case she should marry a second time it was stipulated, that "she should betake herself to her dower, and henceforth be considered an alien in his family." She did not marry a second time. By consequence the estate of Mrs. Christian, mentioned in the above epistle, was a very considerable affair. It was arranged, perhaps at her own suggestion, that Judge Wallace should become the guardian of the children, while her brother, Governor Henry, was made her executor.

The third and last letter follows below :

"DANVILLE, April 17, 1792.

"*Sir*: On Mr. Terrill's arrival here as agent for the Executor of our common friend, Mrs. Christian, he informed me that you had referred him to me for advice, which I have given with the more freedom, as he has appeared on all occasions anxious to do for the best. In two cases he requests me to signify to you the advice which I gave. The one a matter of delicacy concerning a horse which he bought for Colo. Bullitt to ride into Washington County to meet the Miss Christians, and supposing that the horse would suit Miss Betsey for a riding horse. On trial the horse was found to be vicious, though otherwise valuable. Therefore, as Guardian to the Miss Christians, I agreed to pay him £5 as compensation for the use we had made of the horse, on condition he would pay the remainder of his price and take him off our hands, to which he has consented.

"The other was a much more difficult case, arising on a contract made by Maj. Fontaine, as agent for Mrs. Christian, with Messrs. Woolfolk and Mosby for working Saltsburg in partnership. On this I advised and urged Mr. Terrill to an arbitration as the most expeditious and probable mode of coming to an equitable adjustment, and I would add that from the character of the arbitrators I am well persuaded that their award must be just.

I am, Sir, your most obt. humble serv.,

"CALEB WALLACE."

It is likely that, though her sisters came west in 1792, Miss Dorothea Christian continued to be an inmate of the family of her uncle, Patrick Henry, until the year 1795. The following document, furnished by the kindness of Col. Thomas W. Bullitt, of Louisville, is believed to refer to the period of her arrival in Kentucky :

"FAYETTE COUNTY, March 17, 1795.

"*Dear Sir*: Doctor Warfield informs me that you have taken my niece and ward, Dorothea Christian, to live in your family, with which I am well pleased; and as you still have to attend to her education and to make the provisions which may be necessary for her support, I must request you, as executor to Col. Christian, to advance any sums of money for the above purposes not exceeding Twenty-five Pounds per annum, which you think proper; and, as my agent, to procure and transmit to me such vouchers as will enable me to settle with a Court as her Guardian.

"I am, dear Sir, your most obd't Serv't,

"CALEB WALLACE.

"Col, Alexander S. Bullitt, Jefferson county."

It is suspected that all the daughters of Col. Christian, on returning from Virginia after the death of their mother, took up their residence in the family of their sister, Mrs. Alexander Scott Bullitt, in Jefferson County. By the year 1793 Governor Henry had surrendered the position of executor of Mrs. Christian to Col. Bullitt, as appears from the accompanying receipt, the original of which was presented to me by Col. R. T. Durrett:

"Received, December 17, 1793, of John Saunders, on account of Alexander Scott Bullitt, Executor of William Christian, deceased, One Hundred Pounds in cash, and also his Obligation to pay me Fifty Pounds, with interest from this date, on or before the first day of June next, provided the said Bullitt will give him a receipt for the said Fifty Pounds as well as the said Hundred Pounds, on a Replevy Bond, which the said Saunders with others are bound to pay unto the said Bullitt."

"CALEB WALLACE.

"Test: Thomas Maddux."

CHAPTER VII.

ESTABLISHMENT OF TRANSYLVANIA UNIVERSITY.

With respect to this difficult and delicate subject, I have considered it would be prudent in many points to follow the authority of John Bradford in preference to that of any other writer whose productions have come to my notice. The account supplied by Mr. Bradford was originally published in his famous "Notes on Kentucky," a series of sixty-two articles that were issued by the Kentucky Gazette between the 25th of August, 1826, and the 9th of January, 1829. Most of these have been copied by Col. R. T. Durrett into a manuscript volume, which he has kindly placed at my disposal. Bradford appears to be the only eye-witness who has minutely described the early fortunes of Transylvania Seminary; he was a member of the Board of Trustees from the date of their removal to Lexington in October, 1788, and when his narrative was produced it is believed he had access to the records that had been kept from the beginning by the Secretary of the Board. The position assumed by him with reference to the vexed question of denominational influence was clearly enough defined, but he does not express himself in a style to suggest that his prejudices were any way unmanageable.

Transylvania Seminary may be said to have begun its existence with the organization of the Board of Trustees at Danville on the 10th of October, 1783; it continued in existence until the 22d of December, 1798, at which date by an act of the Legislature of Kentucky it was merged with the Kentucky Academy into Transylvania University. During this period of fifteen years the Seminary was never at any time a flourishing institution; in fact, its existence may almost be designated as merely nominal. The conditions were unfavorable to the interests of higher education, especially if one considers the rudeness of the times and of the place, the exacting struggle that was going on for the necessities of life, and the almost continual incursions of hostile Indians. But above all these hindrances, was experienced the lack of funds to prosecute the purposes of the Seminary. There were eight thousand acres of very good land; but very good land that was neither cleared nor inclosed was at that period one of the most plentiful and least valuable commodities in Kentucky. At the initial meeting of the Board of Trustees the situation was fully discussed, and it was resolved to try what amount could be obtained by means of a public subscription. Dr. David Rice, Samuel McDowell, Caleb Wallace, Walker Daniel, James Speed, Christopher Greenup, and Willis Green were duly authorized to draw up and circulate papers of subscription, but the project did not work to their satisfaction. At length, however, Rev. James Mitchel was engaged as Grammar-Master, and a school of that grade was opened in the early days of the year 1785. He entered into a contract to serve for one year at a salary of £120, payable quarterly. It must have been exceedingly difficult to raise that amount; the lands being entirely unproductive as yet, the sum had to be contributed by the members of the Board from their individual resources.

Naturally such an arrangement would be speedily terminated; Mr. Mitchel returned to Virginia in the opening months of the year 1786, and it is believed that no other teacher was employed in his place while the institution remained at Danville. On the 17th of July, 1787, a petition was sent to the Legislature of Virginia, desiring them to appropriate one sixth of all the surveyor's fees that should be collected in the District to the use of the school. Three years and a half later, on the 20th of December, 1790, the State of Virginia finally acceded to that request.

Meanwhile, as no instruction was being imparted at Danville, the Board of Trustees found it convenient on the 18th of April, 1788, to order the place of holding their sessions to be removed to Lexington, which had now become a more convenient center. Possibly at this date was appointed Mr. Elias Jones, the first teacher of the Seminary in Lexington, of whom, however, nothing farther has been reported. The first meeting of the Board in Lexington was held in October, 1788. On the 14th of that month a committee were appointed to lease "for the term of three lives" such land of the Seminary as chanced to be situated in the vicinity of Lexington. The price required was to be "not less than Three Pounds per Hundred Acres, per Annum." By that arrangement the Board were at last enabled to anticipate a moderate revenue.

On the 15th of April, 1789, Mr. Isaac Wilson was appointed Grammar-Master, the second who was honored with that position after the departure of Mr. Mitchel in 1786. Wilson had come to Lexington from Philadelphia in the year 1787, and had already established there what he called the "Lexington Grammar School." (Collins, 2, 183.) The gentlemen who had in their keeping the welfare of the Seminary must have perceived it was a mistake, by employing Mr. Elias Jones, in 1788, to place it in rivalry with Mr. Wilson and his enterprise; it was therefore resolved to employ Wilson's services, and in that way to unite the two schools of learning. They paid him a hundred pounds a year; he was a man of some consequence in his calling, and is believed to have been at a later period one of the teachers of Rev. R. J. Breckinridge, D. D.

Affairs fell out favorably during the second session at Lexington; finances were moderately easy, and the favor of the public was bestowed. The close of the session is described in the following terms by the Kentucky Gazette for the 26th of April, 1790:

"Friday the 10th instant was appointed for the examination of the students of Transylvania Seminary by the trustees. In the presence of a very respectable audience, several elegant speeches were delivered by the boys, and in the evening a tragedy was acted, and the whole concluded with a farce. The several masterly strokes of eloquence throughout the performance obtained general applause, and were acknowledged by a universal clap from all present. The good order and decorum observed throughout the whole, together with the rapid progress of the school in literature, reflects very great honor upon the president." (Collins, 2, 193.)

At the close of the next session, however, it was unhappily discovered that Mr. Wilson had no scholars. Bradford says, "on the 12th April, 1791, the number of students had in the course of the year been reduced from 13 to 5." Mr. Wilson was therefore dismissed, and on the 11th of the succeeding October the Rev. James Moore was appointed Grammar-Master, with a salary of twenty-five pounds per annum in addition to the tuition fees, a new arrangement by which the burden of collecting the fees was devolved upon the teacher, and the risk of loss was also transferred. It is likely that the sum of twenty-five pounds mentioned in this connection was the amount the trustees expected to realize from one sixth of the surveyors' fees, which had just now been set apart for their benefit.

The Board of Trustees had already employed the power that had been intrusted to them by statute to remove the Seminary from Danville to Lexington; considerable apprehension was therefore felt lest at some future time it might suit their ideas to remove it from Lexington to Georgetown or to Louisville or elsewhere. It enjoyed at Lexington no other accommodations than it was able to procure in an old house that was standing upon the public grounds, which, by an act of the Virginia Assembly, passed on the first of January, 1791, was permitted to be occupied free of rent so long as it might not be needed for other purposes. Mr. Moore is said to have kept the school in his own private residence. It was clear that something must be done by the town of Lexington in case she would make sure of the Seminary; by means of inaction and neglect her opportunity might shortly be frittered away. Bradford says that the Board of Trustees were much concerned, and that "every effort was made by them to raise money to enable them to carry on the school; subscriptions, loans, and finally a lottery were resorted to, but without effect." No prophet was required to predict that in case some kind of relief was not furnished it would shortly chance that a rival town might boast of being the seat of the school.

That relief was supplied in due season. Bradford says, that "To aid the Trustees in their efforts a number of gentlemen in Lexington and its vicinity formed themselves into a company by the name and style of the Transylvania Company, and in 1790 or 1791 purchased the lot of ground on which Transylvania University now stands, and erected thereon a two-story brick building. The building having been completed, Thomas January, Samuel McMillin, and John Moylan, gentlemen, were appointed a committee by the Transylvania Company to make a tender thereof to Transylvania Seminary upon the condition that the said Trustees should establish it as the permanent seat of the Seminary." The gift was accepted and the contract confirmed on the 9th of April, 1793.

The hopeful aspect which was now assumed by the prospects of the Seminary was to be shortly dispelled by conflicts that should break out within the Board of Trustees. Mr. Moore, having given satisfaction to his employers during the last two years, was again engaged to serve them in the same capacity. Bradford says, that "on the 19th of October, 1793, Mr. Moore was unanimously elected President for the ensuing year." Possibly with a view to satisfy the Baptist portion of the community, an assistant was provided in the person of the youthful Jesse Bledsoe, the son of a prominent minister of that persuasion. Young Mr. Bledsoe, who afterward made a distinguished career in the State, was employed at a salary of £25 a year. (Perrin, *History of Fayette County*, p. 294.) Speaking of this faculty, composed of two members, the *Lexington Gazette*, in the month of December, 1793, declared in somewhat bombastic phrases: "Transylvania Seminary is well supplied with teachers of Natural and Moral Philosophy, of the Mathematics, and of the Learned Languages." Mr. Moore was a member of the Presbyterian Church, and on the 27th of April, 1792, had been received as a candidate for the ministry by the Presbytery of Transylvania. His trial sermon, which was produced some time during the year 1793, for some cause was not sustained, and another was appointed. Being offended by this strictness on the part of Presbytery, his relations with his fellow-Christians were by this time becoming a trifle strained. Possibly it was owing to that cause, and to the influence of the Presbyterian members of the Board of Trustees that, as Bradford affirms, "Mr. Moore failed to accept the appointment to the presidency previous to the 5th of February, 1794." On the 26th of April, 1794, the Presbytery, having some doubts as to his experimental piety, desired to examine Mr. Moore again upon that point for the satisfaction of a

majority of the members who had not been present at the preceding examination. To this he objected, and repeatedly refused to submit; whereupon it was the unanimous voice of the Presbytery that he be dismissed. (Davidson, pp. 295, 296, note.)

It is suspected that Mr. Moore had already attached himself to the Episcopal Church, in which he continued to labor down to the close of his life, having been very useful in establishing Christ Church in Lexington, the first parish of that persuasion in Kentucky. The rigorous treatment of Mr. Moore was unfortunate both for the Presbyterians and for the interests of the Seminary. After he was forced out of his position at the head of the school, it became necessary to choose a person to succeed him in that office. Rev. Harry Toulmin, a Baptist clergyman of Unitarian sentiments, had meanwhile entered the State bearing strong recommendations from Mr. Jefferson, and was a candidate for the vacant office. That was a turn of affairs which had not in the least been anticipated, and the Presbyterians were hardly prepared to meet it. Nothing that they could do in the premises was sufficient to prevent the election of Mr. Toulmin on the 5th of February, 1794. The vote in favor of Toulmin stood as follows: Breckinridge, Coburn, Dudley, Johnson, Lewis, A. Parker, J. Parker, Trotter, and Wilson, making nine in all. Opposed to him were Hawkins, Morton, Campbell, Crawford, L. Todd, R. Todd, and McDowell, seven in all. This result was as deplorable as it was unexpected. As soon as the vote was announced Mr. James Crawford, a Presbyterian minister, "resigned his seat, and with great warmth predicted the downfall of the institution, and charged the Board with committing the management of it into the hands of an infidel."

No contemporary accounts have been transmitted relating to the condition and fortunes of the Seminary while it was under the care of Mr. Toulmin. If it contrived to exist at all, it could hardly have been less prosperous than it had been under those who hitherto were in charge of it. On the 4th of April, 1796, at the close of his second session, Mr. Toulmin resigned his office to accept the position of Secretary of State under Governor Garrard, and on the 23d of September following Mr. Moore, now recognized as an Episcopal clergyman, was unanimously chosen to succeed him.

When Mr. Toulmin was elected on the 5th of February, 1794, the Presbyterians to a considerable extent withdrew their sympathy and patronage from the Seminary, though such men as the Hon. John Breckinridge and other special friends of Mr. Jefferson must have continued to countenance it. The spring meeting of Transylvania Presbytery occurred that year on the 22d of April, at Woodford church. Here were laid the foundations of an institution under Presbyterian auspices that later was called by the name of Kentucky Academy. (Davidson, p. 291 f.) A charter was bestowed by the Legislature on the 12th of December, 1794, in the first article of which the following trustees were named: David Rice, Caleb Wallace, Jacob Froman, Samuel Shannon, Terah Templin, John Miller, James Crawford, Robert Finley, Andrew McCalla, William Ward, James Thompson, James Camper, John Caldwell, William Henry, Robert Marshall, Notley Conn, James Blythe, and Cary Allen. (Littell, Statute Laws of Kentucky, 1, 228.)

The business of obtaining subscriptions for the new academy was pushed with vigor. Within the limits of the State more than £1,000 were procured; Messrs. Rice and Blythe also visited the Atlantic States for its behoof, and secured in that quarter nearly \$10,000 in addition. Among the contributors were President Washington, John Adams, and Aaron Burr. (Davidson, p. 292.) The seat of the Academy was established at Pisgah, in the vicinity of Judge Wallace's residence.

No sooner had Mr. Toulmin taken his departure than the Presbyterians began to feel that they had no special occasion to continue the existence of Kentucky Academy. Bradford says that "on the 3d of June, 1796, the Board of Trustees received information from the Kentucky Academy that they were desirous to communicate on the subject of an union of the two seminaries. Upon which William Morton, John Breckinridge, and Thomas Lewis were appointed a committee 'to receive any proposition that may be made by the said Kentucky Academy on the subject, and to communicate freely with them, or with a committee appointed by them, and make report.'" The result of that conference was favorable; the committees "agreed on the terms of an union, which were reported to the respective Boards." But the consummation of the union was delayed for more than two years by the jealousy of certain members of the Board of Transylvania Seminary, who chanced to be opposed to a connection with Kentucky Academy on any kind of terms. By means of this hostility the project was put aside until the 2d of November, 1798, on which date a majority of each of the Boards joined in a petition to the Legislature to unite the two bodies under the name and style of Transylvania University.

When Judge Wallace composed his letter to the Hon. John Breckinridge, under date of November 5, 1798, he was present in Lexington as a member of the Board of Kentucky Academy to arrange this union. He was likely detained on this business until the 13th of November, at which time, it will be remembered, his second letter to Mr. Breckinridge was dated. The Legislature speedily passed an act to render legal the union that had been accomplished; it was approved by the Governor on the 22d of December, 1798. It is strongly suspected that Judge Wallace himself was the author of this statute. Provision was made in the second article of it for a Board of Trustees, whose names were given as follows: James Garrard, Samuel McDowell, Cornelius Beatty, Frederick Ridgely, Robert Marshall, George Nicholas, James Crawford, Joseph Crockett, Bartlett Collins, Andrew McCalla, William Morton, Robert Steele, John McDowell, Alexander Parker, Caleb Wallace, James Trotter, Levi Todd, James Blythe, Thomas Lewis, John Bradford, and Buckner Thruston. The law went into operation on the first day of January, 1799, which may be regarded as the natal day of Transylvania University.

The new institution enjoyed a moderate amount of prosperity under the presidency of James Moore. After a few years he was relieved by Rev. Dr. James Blythe, who held the place until the year 1818. He was in turn succeeded by Dr. Holley, who imparted to it almost a national reputation. Many of the foremost men of the Western country received their education within its halls; it was widely recognized as one of the first ornaments of Lexington and of Kentucky.

CHAPTER VIII.

EARLIEST SYSTEM OF EDUCATION IN KENTUCKY.

Dr. Davidson is quite industrious, and commonly is accurate enough, but he is hardly reliable in certain things that he relates with reference to the union that took place between Kentucky Academy and Transylvania Seminary. At the point where it is conceived he goes astray it is important to remember that his authority is supported by no citations, he simply expresses his own notion of the occurrence, in which he is likely to be mistaken, especially if one considers that Davidson was not an eye-witness.

For example, he says: "The Presbyterians having now concentrated all their patronage upon their own college and grammar-school, and having in their hands a supply of active funds, speedily outstripped the Seminary at Lexington. Toulmin, after a brief career, had resigned for the more lucrative and exalted office of Secretary of State; and the institution was reduced to a pitiable destitution, notwithstanding the recall of Mr. Moore." (p. 294.) It is conceivable indeed that the several allegations recited here may be all correct, but there is ground to believe that some of them are incorrect.

Dr. Davidson proceeds as follows: "The leaders at Lexington now took the alarm; and, waking at last to a sense of their folly, endeavored to rescue Transylvania Seminary from the utter insignificance into which she seemed about to fall, by conciliating the Presbyterians and courting their alliance. The latter listened without resentment, and a committee was appointed by each Board to confer on the subject of a reunion." (p. 294.) There can be no question that it was the Trustees of the Academy and not the Trustees of the Seminary who made the first overture for a union. The circumstance is just as free from doubt that this overture was presented on the 3d of June, 1796, and was delayed by opposition that arose up within the Board of the Seminary until the 2d of November, 1798. Even after that delay of two years and five months the business had to be passed over the protests of a portion of the members of this Board. The same must be conceded with reference to a portion of the Board of Kentucky Academy: they in their turn lifted up their voices against the consummation. The preamble of the statute that legalized the union confirms this conclusion. That preamble is composed in the following terms: "Whereas, a majority of the Trustees of the Transylvania Seminary and of the Kentucky Academy have by their joint petition represented to this General Assembly, that the Boards of Trustees of the said Seminary and Academy have mutually agreed that these institutions and their respective funds shall be united on the terms therein set forth," etc.

By the assertion of Bradford, recited in another place, it has been shown that the motion to effect a union came from the Trustees of the Academy; the above statute plainly concedes that a portion, but not a majority, of these trustees were adverse to the project. Davidson particularly commends David Rice, because he would have no share in the enterprise. (History, p. 295.) It is not known which of the other members took sides

with Rice, who must have been recognized in a sort as the leader of the opposition. Judge Wallace, on the contrary, it is suspected, was the chief promoter of the scheme for a union; and the motives which influenced him to pursue that policy are conceived to do him the highest credit, both as a patriot and as a Presbyterian.

Transylvania Seminary was in a sense his own child; it bore the name which he had given it, and his affections followed it under every circumstance. 'Above all things, he wanted to behold it prosperous and powerful—the center of literary cultivation in Kentucky and throughout the Western country.' It was therefore easier for him than for some of his associates to rise above considerations of party sympathy. Yet he was likewise a devoted Presbyterian; no arrangement would have been agreeable to him by means of which his brethren of that persuasion were to suffer loss. In a word, he was loyal both to the Presbyterians and to the Seminary. For the behoof of the Presbyterians he was enabled to carry the point that one half of the members of the Board of Transylvania University should be of that communion. Certainly this was a vantage ground which they had never before enjoyed, and it must be set down as a triumph of diplomacy on the part of Wallace. He believed there was no better way to procure the ascendancy of Presbyterians in the educational concerns of Kentucky than by giving them a legal right to one half the seats in the board of the central seat of learning; and there can be little doubt that his judgment was enlightened and judicious. The Presbyterians afterward lost what he had bestowed upon them, but they appear to have lost it by their own fault; or in other words, they seem to have traded away that advantage to obtain what at the moment appeared to be a still higher advantage.

An explanation of the above remark will appear by consulting a passage relating to this business in Bradford's "Notes on Kentucky." He affirms that on "the 20th of October, 1799, the Rev. James Blythe was unanimously elected professor of science: and on the same day the Rev. James Welch was duly elected professor of languages." It would appear that at the date in question both of these gentlemen were members of the Board of Trustees: Blythe had been a member from the beginning. Mr. Bradford adds the further statement that "it was the policy of the old trustees of Transylvania Seminary to reduce the number of their opponents, and to add as many to their own side. Whether that policy influenced them in the election of Mr. Blythe and Mr. Welch as professors or not, the effect was the same." In other words, it seems that Messrs. Blythe and Welch deliberately exchanged their seats in the Board of Trustees for seats in the Faculty, with the apparent understanding that their seats in the Board were liable to be filled by persons of the opposite party. If they chose to make that exchange it was their own affair; certainly it was a plain business transaction, and nobody was deceived. But it was not the fault of Judge Wallace, who brought the union to completion, that affairs should have taken this unhappy turn. In the year 1818, when by some process the Presbyterians had surrendered still another of the seats that belonged to them, they were summarily ejected from the institution (Davidson, p. 298): yet they could have none but themselves to blame for that result; they had obtained what they considered was the full value of the seats which they surrendered.

Negotiations for the union of Transylvania Seminary with Kentucky Academy, it has been shown, were in progress for more than two years before the enterprise was accomplished. As these proceeded, a splendid scheme for education in Kentucky was developed. The project consisted in nothing less than the formation of the two institutions into an

educational center of the rank of an university, and to establish feeders for it in different sections of the Commonwealth. The scheme first came to light in the beginning of the year 1798. On the 10th day of February in that year a number of academies were, by the General Assembly, endowed, each with six thousand acres of land. This movement, it is claimed with some confidence, was directed by Judge Wallace. Kentucky Academy stood at the head of the list of beneficiaries; he is believed to have written the act, and also to have conducted it on its passage through the Legislature.

Why should Kentucky Academy have desired an endowment at a time when it was striving to be merged into Transylvania Seminary? A great deal had been said relating to the financial resources of the academy, which Judge Wallace, who was familiar with the condition of its exchequer, knew to be exaggerated. The collections that had been made for its benefit in Kentucky and in the Atlantic States were taken chiefly in subscriptions which could never be collected, and it was therefore quite poor. John Bradford says: "At the time when the union of these institutions took place the pecuniary resources of Transylvania Seminary were extremely low, and the only motive of some of its trustees to consent to the union was the hope of acquiring Six Hundred Pounds in cash, a sum reported to be in the treasury of the Kentucky Academy; but after the union, when the treasury came to be examined, it was found to be empty of cash, and the only fund was notes and bonds to an amount less than Five Hundred Pounds, with some subscriptions, no part of which could be collected. So the only advantage obtained by the union was the addition of ten of the trustees of Kentucky Academy to the same number of those of Transylvania Seminary to manage the affairs of Transylvania University."

But for the six thousand acres with which Kentucky Academy had been endowed by the Commonwealth on the 10th of February, 1798, the above representation would have been reasonably accurate. Wallace perceived that the object that lay so near to his heart would be much promoted in case the Academy had a respectable dower to bring to the Seminary, and knowing that the former had no considerable supplies of its own, he resolved to provide a supply by the aid of the State. While he was engaged upon that business he was also studious of the interests of the Seminary, and added a section to the statute by which it also obtained six thousand acres. These two several donations raised the landed estate of Transylvania University from eight thousand to twenty thousand acres. For the eight thousand acres the institution was indebted to Col. John Todd; for the twelve thousand it was indebted to Judge Wallace.

Besides the six thousand acres that were bestowed respectively upon Kentucky Academy and Transylvania Seminary, the following schools were also remembered in the same fashion, namely: Franklin Academy, situated at Washington, in Mason County; Salem Academy, situated at Bardstown; Bethel Academy, under the auspices of the Methodists, in Jessamine County, and Jefferson Seminary, in Louisville. (Littell, Statutes, 2, 107, 108.)

The view of Judge Wallace was very broad; it embraced higher things than the few institutions that have just now been mentioned, and provided resources for the organization and maintenance of an almost indefinite number of schools of a similar grade. The statute of the 10th of February, 1798, contains in its closing sections certain sentiments and provisions that reflect enduring luster upon the State of Kentucky. Attention is particularly directed to the following extract:

"And whereas, It is certain that however particular forms of government are better

calculated than others to protect individuals in the free exercise of their natural rights, and are at the same time themselves better guarded against degeneracy, yet experience hath shown that even under the best form, those intrusted with power have in time and by slow operation perverted it into tyranny; and it is believed that the most effectual means of preventing this would be to illuminate, as far as possible, the minds of the people at large, and more especially to give them knowledge of those facts which history exhibiteth, that possessed thereby of the experience of other ages and countries, they may be enabled to know ambition under all its shapes, and prompt to exert their natural powers to defeat its purposes: And whereas, it is generally true, that that people will be happiest whose laws are best and best administered, and that laws will be wisely formed and honestly administered in proportion as those who form and administer them are wise and honest; whence it becomes expedient for promoting the public happiness, that those persons whom nature hath endowed with genius and virtue should be rendered by liberal education worthy to receive and able to guard the sacred deposit of the rights and liberties of their fellow-citizens; and that to aid and accelerate this most desirable purpose must be one of the duties of every wise government:

"Be it therefore enacted by the General Assembly, That all the lands lying within the bounds of this commonwealth, on the south side of Cumberland River, below Obey's River, which are now vacant and unappropriated, or on which there shall not be, at the passage of this act, any actual settler under the laws of this State for the relief of settlers south of Green River, shall be and the same are hereby reserved by the General Assembly, to be appropriated as they may hereafter from time to time think fit, to the use of the seminaries of learning throughout the different parts of this commonwealth; and no person or persons shall, after one month subsequent to the passage of this act, be permitted to settle on or take up any vacant land on the south side of Cumberland River as aforesaid, until the further order of the legislature, any law or laws to the contrary notwithstanding." (Littell, 2, pp. 108, 109.)

In addition to the other important reasons for attributing this movement, and the scheme upon which it was founded, to the initiative of Judge Wallace, may be mentioned the circumstance that of all his contemporaries among the public men of Kentucky, with the single exception of Col. John Todd, whose merits I have frankly conceded, he is the only one who appears to have had any adequate sense of the necessity of educating the masses of the people. (Smith, History of Kentucky, pp. 692 and 698.) This was one of his leading peculiarities; it lifts him to a distinguished position in the annals of the Commonwealth.

The project of a union between Transylvania Seminary and the Kentucky Academy that had been prosecuted with so much diligence and perseverance, it has been shown, was happily consummated at Lexington on the 2d of November, 1798. The heart of Wallace must have been filled with satisfaction to witness that result, notwithstanding the serious physical infirmities which he declared to John Breckinridge were at the moment afflicting him.

Since the 10th of February, on which the bill to endow half a dozen of the different seminaries that were then in existence had been passed by the Legislature, Wallace had gained time to develop certain details of the system which had been foreshadowed with sufficient clearness in that document. The bill to render legal the union of the two schools and to establish Transylvania University, which it is strongly believed was com-

posed by Judge Wallace, was accompanied by another of a very remarkable character. It became a law on the same day as the preceding, and introduced a new epoch in the educational history of Kentucky. Both of them were portions of one and the same well-digested and extensive scheme. This second bill is also supposed to have been produced by Wallace. It related to the endowment with six thousand acres each of a much larger number of seminaries, and stipulated in addition that one should be thus endowed in each and every county of the State as soon as the people of that county should find themselves in a situation to organize it.

The provisions of the enactment, to arrange the details of which must have cost the author of it an amount of correspondence and other labor during the year 1798, are here set down in full for the instruction of any who may be interested in this extraordinary scheme of education. It is entitled "An Act to Establish and Endow certain Academies," and reads as follows:

"SECTION 1. *Be it enacted by the General Assembly*, That William Kennedy, Washington Berry, Charles Morgan, John Grant, Thomas Kennedy, Thomas Sanford, Thomas Carneal, Richard Southgate, Daniel Mayo, John Crittenden, Robert Stubbs, and James Taylor shall be and are hereby constituted a body-politic and incorporate, and shall be known by the name of the Winchester Academy.

"That Samuel Taylor, John Adair, Philip Bush, Gabriel Slaughter, George Thompson, Matthias Bush, George Bohannon, Peter Casey, Samuel P. Duval, Peter Bonta, John Thomas, and Augustine Passmore shall be and are hereby constituted a body-politic and incorporate, and shall be known by the name of the Harrodsburgh Academy.

"That Nathan Huston, Hugh Logan, Richard Gains, George Davidson, Samuel Finley, William Owsley, Samuel Moore, Jonathan Forbes, and John James shall be and are hereby constituted a body-politic and incorporate, and shall be known by the name of the Trustees of the Stanford Academy.

"That Robert Johnson, Bartlett Collins, John Hawkins, Elijah Craig, John Hunter, Toliver Craig, William Henry, John Payne, Samuel Shepherd, William Warren, and Abraham Buford shall be and are hereby constituted a body-politic and incorporate, and shall be known by the name of the Trustees of the Rittenhouse Academy.

"That Samuel Hopkins, Charles Davis, William Campbell, Robert Ewing, John Curd, Israel M'Grady, Amos Balsh, Young Ewing, David Caldwell, William Prince, William Love, Finis Cox, Burwell Jackson, Æneas McCollister, Samuel Hardin, John Bailey, Daniel Brown, and John Caldwell shall be and they are hereby constituted a body-politic and incorporate, and shall be called and known by the name of the Trustees of the Newton Academy.

"That Enoch Smith, James Pogue, Jilson Payne, Bennet Clark, Joseph Hume, William Payne, Abijah Brooks, James Ward, William Robinson, and James M'Illany shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Montgomery Academy.

"That Benjamin Harrison, William E. Boswell, Henry Coleman, Hugh Miller, sen., John Wall, Samuel Lamb, Samuel M'Mullin, Samuel Cook, Robert Hingson shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Harrison Academy.

"That Michael Cassidy, Robert Morrison, John Hart, Hugh Fulton, George Stockden, Andrew Kincaid, John Home, John Faris, and Richard Tilton shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of Fleming Academy.

"That Joseph Hornsby, Benjamin Logan, Bland W. Ballard, Benjamin Roberts, Thomas Given, Simon Adams, James Logan, John Allen, Joseph Winlock, John Pope, Nicholas Meriwether, Daniel M'Clelland, and Aquila Whitaker shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Shelby Academy.

"That Hickerson Grubbs, Robert Caldwell, Green Clay, Christopher Irwin, Archibald Wood, James Speed, Matthew Huston, Joseph Kennedy, James Barnet, Robert Rhodes, John Millar, and John Patrick shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Madison Academy.

"That William Casey, Robert Haskins, Elias Barber, Jonathan Conard, William Buckner, Jonathan Patterson, Nathan Montgomery, John W. Sample, James Young, Daniel Trabue, John Montgomery, and David Sims shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the New Athens Academy.

"That Philip Buckner, Nathaniel Patterson, Samuel Brooks, William Brook, John Blanchard, Francis Wells, Robert Davis, John Bond, John Fee, John Pattie, and Joseph Logan shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Bracken Academy.

"That Felix Grundy, Matthew Walton, Benjamin Hardin, Thomas Kyle, Samuel Overton, John Helm, John Reed, Barnabas M'Henry, John Lancaster, Philip Washburn, Henry Smock, Robert Able, Charles Ewing, and Charles Wickliffe shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Washington Academy.

"That Alexander Barrett, Ignatius Pigman, Joshua Crow, William Bailey Smith, Benjamin Fields, Jesse Cravens, Harrison Taylor, Stephen Clever, Aquilla Fields, and David Glem shall be and are hereby constituted a body-politic and incorporate, and known by the name of the Trustees of the Hartford Academy.

"That William Garrard, John Allen, William Kelly, David Purviance, Augustine Eastin, John Edwards, Andrew Todd, Thomas Jones, sen., Hugh Brent, John Metcalfe, Alexander Barnett, James Brown, sen., Barton W. Stone, James Matson, and James Kenny shall be and are hereby constituted a body-politic and incorporate, to be known by the name of the Trustees of the Bourbon Academy.

"That Benjamin Perkins, John Harrison, James Thompson, John Bryant, Samuel Gill, Henry Pawling, Benjamin Letcher, William Bledsoe, John Jones, John Boyle, jun., and William Campbell shall be and they are hereby constituted a body-politic and incorporate, and called and known by the name of the Trustees of the Lancaster Academy.

"That John Paul, Thomas Helm, John Vantreese, Benjamin Helm, John Canihaw, sen., Bladen Ashby, Robert Hodgins, Patrick Brown, Stephen Rolling, and Jacob Larue shall be and they are hereby constituted a body-politic and incorporate, and shall be called and known by the name of the Trustees of the Hardin Academy; and they, or a majority thereof, shall fix upon a proper seat for the same.

"That Henry Crist, Benjamin Summers, Benjamin Pope, Daniel Donaldson, Samuel

Crow, Richard Summers, Joseph Saunders, John Lewis, Thomas Speed, Armstead Morehead, and Thomas Greenfield be and they are hereby constituted a body-politic and incorporate, and shall be called and known by the name of the Trustees of the Bullitt Academy; and they, or a majority thereof, shall fix upon a seat for the same.

"That Caleb Wallace, Robert Alexander, George Brooke, William Vawter, William Steele, John Watkins, Marquis Calmes, Richard Young, John Jouitte, Charles Wilkins, Tunstall Quarles, John O'Bannon, and Alexander Dunlap be and they hereby are constituted a body-politic and incorporate, and shall be called and known by the name of the Trustees of the Woodford Academy; and a majority of them shall fix upon a seat for the same.

"That the trustees of the said several academies shall each have perpetual succession and a common seal, and they are hereby severally invested with all the powers and privileges that are enjoyed by the trustees of any academy or college within this commonwealth not otherwise limited or directed.

"The permanent seat for the Harrodsburg Academy shall be established on the public square in the town of Harrodsburg, containing fifteen acres, which is hereby vested in the trustees thereof and their successors, who are empowered to sell any part thereof, not exceeding thirteen acres, and appropriate the money arising therefrom toward erecting buildings for the use of said academy on the remaining part.

"The seat for Stanford Academy shall be established in the county of Lincoln, at or near the town of Stanford, as the trustees, or a majority of them, may judge most eligible, which seat when so fixed on shall be considered as the permanent seat of the same, and shall be vested in the said trustees and their successors for the use of said academy. The seat for the Newport Academy shall be established on the open square in the town of Newport, containing six in-lots, and which is hereby vested in the trustees thereof and their successors for the use of the said academy. The seat for the Hartford Academy shall be established in the town of Hartford, or in the vicinity thereof, as may be judged best by the trustees thereof. The seat for the Newton Academy shall be established at the most convenient, eligible place, in the opinion of the trustees thereof, within the counties of Logan, Warren or Christian, or such counties as may be formed of them; which place, when so fixed on, shall be deemed the permanent seat of said academy. The seats for the Rittenhouse, the Montgomery, the Harrison, the Fleming, the Bracken, the Madison, the Shelby, the Washington, and the New Athens academies shall be fixed by the trustees of the said several academies, respectively, at such place within their respective counties as they may deem most proper and eligible; which places, when so fixed, shall be established as the permanent seats of the said several academies.

"SECTION 2. There shall be granted to the said several trustees and their successors for the use of the said academies, and to the trustees of the Winchester Academy, six thousand acres each of vacant land, to be located on the south side of Green River, including those on the south side of Cumberland reserved by an act of the last session for seminaries, upon the same terms and conditions as lands were granted to other seminaries in this State, by an act of the last session of the general assembly, entitled an 'act for the endowment of certain seminaries of learning, and for other purposes'; *Provided*, that no entry or survey made in pursuance of this act shall interfere with or include any actual settlement now made, with two hundred acres of land, including the improvement in the centre thereof. The lands hereby intended to be granted to the said several academies,

nor any part of them, shall ever be sold or alienated by the said trustees or their successors; nor shall they ever be leased for a longer period at one time than twenty-one years; and in all leases or other temporary dispositions of the said lands, two thirds of the whole number of the trustees of the said academy shall concur. In fixing the seats for the several academies, which are left to the judgment of the trustees by this act, there shall also be a concurrence of two thirds of all the trustees for said academy.

"The trustees of the said several academies are hereby authorized to raise by lottery, and also by subscription, any sum not exceeding one thousand dollars each, for the purpose of enabling them to erect buildings, to purchase books or the necessary apparatus for an academy, or to enable them to defray the expenses necessary in securing the several donations of land hereby granted to them. It shall be left wholly to the discretion of the said several trustees what subjects shall be taught in the said several academies, whether the English language, writing, arithmetic, mathematics, and geometry only, or the dead and foreign languages and other sciences which are generally taught in other academies or colleges in this commonwealth. If the said trustees, or their successors, do not within ten years from the passage of this act severally establish a public school, consisting of at least twelve scholars, and in which there shall be at least taught the English language, writing, arithmetic, and the common branches of the mathematics, the lands acquired in virtue of this act, by the said trustees so failing, shall revert to this commonwealth.

"A majority of the said trustees shall be sufficient to make a board for the transaction of all ordinary business. They, or a majority of them, shall, from time to time, fill up any vacancies which may happen, and shall in all respects whatever, so far as the cases will apply and is not otherwise in this act directed, be governed by the same rules and regulations as are prescribed by the Bethel Academy.

"SECTION 3. *And be it further enacted*, That the several county courts for the several counties within this commonwealth, in which seminaries have not been established by this or any former act, shall be and are hereby authorized to have located, surveyed, and patented, within the bounds hereinbefore prescribed, six thousand acres of any waste and unappropriated lands for the use of such schools as may hereafter be established within either of the said counties, under the like rules and regulations as trustees are by this act governed.

"The further time of eighteen months is hereby allowed to the several academies which are granted six thousand acres of land each, by an act of the general assembly passed on the tenth day of February last, and who have not obtained their lands, to survey and register the same; *Provided always*, that the several grants and appropriations of land herein made shall be subject to any future order of the legislature; but no act shall be passed to impair any contract which may be made by the trustees of any of the seminaries established by this act by virtue of the powers herein delegated to them; *And provided always*, that the donations herein made shall forever continue appropriated to the use of seminaries.

"This act shall commence and be in force from and after the passage thereof." (Littell, Statutes, vol. 2, pp. 240-246.)

It will be perceived that the above law was not introduced by any preamble. The reason of that omission may be discovered in the circumstance that the preamble had been included in the law of the 10th of February, 1798; the reader is referred to that

portion of the said law, which was recited on a preceding page. The law of February 10th and the one above given, both taken together, provided an endowed seminary of learning for twenty-six of the different counties of the State, appropriating in all one hundred and fifty-six thousand acres of the public domain. At the date when the last-named bill was passed there were not many more than twenty-six counties in existence; the Legislature erected thirteen additional counties in the year 1798, and as a matter of course these could not all be remembered by name. But they were duly provided for, and it was likewise stipulated that when other new counties might be formed they should in their turn partake of this bounty.

These several statutes—the one of February 10, 1798, entitled “An Act for the Endowment of certain Seminaries of Learning, and for other Purposes;” the one of December 22, 1798, entitled “An Act to Establish and Endow certain Seminaries;” and the other, approved the same day, entitled “An Act for the Union of the Transylvania Seminary and Kentucky Academy”—constitute a single body of legislation, and exhibit the outlines of a single plan of operations in behalf of public education. For the reasons that have been suggested, they are all claimed as the conception and as the productions of Judge Wallace. There are no brighter pages in the statute books of Kentucky than those which record these acts. They established the most enlightened, practical, and complete system of education that could at that period be witnessed in America, or perhaps anywhere else in the civilized world. Little wonder that the author of the system should have been delighted to contemplate it. In his letter to John Breckinridge, under date of the 13th of November, 1798, just a few days before he went down to the Legislature to press the passage of the last two laws, he said, in his guarded and self-constrained fashion: “If you have not made up your opinion on the subject, I must request that you would suspend doing so until I see you, because *I am convinced that the interest of the community may be materially affected by the decision of the General Assembly.*”

It is sad to reflect that his benevolent purposes were to a large extent defeated; but that was not the fault of Judge Wallace. The statutes were modified in other times and by other hands in such a style that much the larger portion of these endowments were either squandered or frittered away; yet it is claimed that he acted the part of an enlightened patriot, and is entitled to the gratitude both of the Commonwealth of Kentucky and of the Presbyterian Church of Kentucky. He endeavored with high devotion and ability to serve the best interests both of the Church and of the State.

CHAPTER IX.

THE KENTUCKY COURT OF APPEALS.

The government of the State of Kentucky went into operation on the 1st of June, 1792. On the 28th of the same month was approved the statute establishing the Court of Appeals. (Littell, 1, 101.) It provided for three judges, one of whom should be designated as the Chief Justice and the other two respectively as the second and the third judge. The election of persons to occupy these stations was immediately held, and they were commissioned by the Governor on the 28th of June, the same day on which the statute went into operation. (Collins, 1, 498.) The justices of the Supreme Court of the District were all promoted to this honor with the exception of George Muter, the Chief Justice. He was left out, and Harry Innes, who had been Attorney General of the District of Kentucky, was chosen in his place. (Collins, 1, 498.) As originally constituted, therefore, the Court of Appeals stood as follows: Harry Innes, Chief Justice; Benjamin Sebastian, Second Judge, and Caleb Wallace, Third Judge.

The court went into operation at Lexington, where it appears to have held its sessions until the year 1796, when its seat was removed to Frankfort. (Littell, 1, 103; cf. 1, 560.) The reason why Col. Muter was neglected must likely be sought in the circumstance that he had by this time formed a closer alliance with the Federal party in Kentucky than was agreeable to the majority of the electors. (Marshall, 2, 78.) He was considerably embarrassed by the turn which affairs had taken, but by a piece of excellent fortune his distress was shortly relieved. The President of the United States was looking about to find a person suitable to be Judge of the Federal District Court for the District of Kentucky, and his choice fell upon Col. Innes, who immediately resigned the office of Chief Justice in order to accept the new station. By employing due exertion, it was given to Muter to induce the Legislature at its next session to elect him to occupy the place which Innes had left vacant. After that change had been accomplished the Court of Appeals was composed of the same judges as held seats in the former Supreme Court of the District.

This perilous experience conveyed a lesson to Muter which he never was able to forget. He received his commission as Chief Justice on the 7th of December, 1792, and Humphrey Marshall affirms that "from that day forth, as if faithful to some new contract, he dropped all acquaintance with the Marshall family, and never afterwards entered Col. Marshall's door. The tenor of his new lesson could not be mistaken." (2, 78.)

The salary of judges under the present regime was reduced from the figure they had been accustomed to receive from the District of Kentucky. Since the autumn of the year 1784 these officials in the Supreme Court of the District had been paid £300 a year; the State of Kentucky at the beginning paid them only £200. Even that, however, was a larger amount than was paid to any other person, except His Excellency, the Governor, who was allowed £300.

The progress of affairs in the Court of Appeals was very satisfactory for several years. Judge Wallace had established his residence in Woodford, on the banks of South Elkhorn Creek, and in one corner of the yard had erected his law office, both of which abide in a habitable condition down to the present time. Law offices situated in immediate connection with a dwelling-house, and at a considerable remove from any town or city, were once a feature of life in Kentucky. The fashion has long since passed away, all establishments of the kind being now erected in the centers of population; the small number of the older structures that still remain are worthy of careful preservation as relics of a situation that once was controlling, but has now been forgotten. The law office of Judge Wallace chances to retain for me a special kind of interest. About the year 1808 or 1809 there came to study, and perhaps to be domiciled in it, a youthful relative of my own. He was a son of Elizabeth Whitsitt Breathitt, one of the sisters of my grandfather, James Whitsitt. After prosecuting his studies under Judge Wallace, Mr. Breathitt was admitted to the bar in February, 1810 (Collins, 2, 95), and in the year 1832 was elected to be the eleventh Governor of Kentucky.

There was a notable disturbance in the Court of Appeals and in the State during the year 1795. At the October term of the court was adjudicated the celebrated case of *Kenton v. McConnell*, in which George Nicholas, the foremost lawyer of the Western country, appeared for the defendant. As a result of the ability and influence of counsel, a decision was pronounced by a divided court in favor of McConnell. It was obtained by a process of reasoning which involved the validity of the titles that had been given by the Commissioners under the Virginia Land Law in the years 1779 and 1780. The titles awarded by those Commissioners had been regarded hitherto as among the most meritorious in existence; their validity had also been specially conceded by decisions of the Supreme Court of the District of Kentucky.

Now that the right to open any case and to review any decision made by the Virginia Commissioners had been conceded by the highest tribunal, almost every citizen felt his possessions to be in some sort endangered; but the hardship was chiefly experienced by those who emigrated in the earliest years, and in bearing the heat and burden of the day, had paid for their lands with the blood they had shed in many fierce encounters with the savages. An amount of blame was also attached to Col. Nicholas, who was suspected to be desirous of ripping open those old claims in order that the volume of litigation might be increased. It was even said that he had made preparation for this condition of affairs by ingrafting upon the State Constitution of 1792 a provision to the effect that the Court of Appeals should have original and final jurisdiction of all cases where titles to landed estate were involved. (Marshall, 1, 395, 396.)

The opinion pronounced by Muter and Sebastian was published in due time, together with the contradictory opinion of Judge Wallace. Possibly it was comparatively easy for Nicholas to persuade Muter and Sebastian to embrace his view, for they had no special piety toward the Commissioners of 1779. Wallace, on the contrary, remembered that two of them were brothers-in-law to himself, and that he owed somewhat to the kindness they had shown him.

Moreover, it is likely that Muter and Sebastian had no considerable landed interests that were put at hazard by the singular decision which they had expressed. The former was apparently a somewhat improvident person, who commonly lived from hand to mouth. After enjoying for many years what must have been considered a generous salary for the

times, he retired at last without a farthing, to subsist upon the charity of Judge Thomas Todd. (Collins, 2, 276.) Sebastian, for his part, is not believed to have cultivated any special taste for investments in property that should be so hard to move as real estate. Wallace was a person of provident habits; all that remained to him over and above his legitimate expenses appears to have been carefully husbanded and invested in lands. The accompanying entries, taken from the records of the Land Office, will serve to mark the progress of his acquisitions in that kind. The first list represents the amounts that were entered in his name before the admission of Kentucky into the Union:

1,000 acres in Lincoln County.
500 acres in Fayette County.
20 acres in Fayette County.
500 acres in Jefferson County.
1,000 acres in Fayette County.
100 acres in Jefferson County.
4,000 acres in Jefferson County.

After Kentucky had been admitted to the union he acquired,

338 acres in Mercer County.
992 acres in Franklin County.
5,992 acres in Shelby County.

Besides the above he had already purchased large quantities of the most valuable lands that he ever possessed from persons who had themselves entered them at the Land Office, or obtained them from others who had done so. It is clear that Judge Wallace would have a distinct pecuniary interest in resisting the suggestions of Col. Nicholas.

The excitement produced in the community by the appearance of the two conflicting opinions rendered by the Judges of the Court of Appeals was very great; a condition approaching to anarchy was felt to be imminent. The people appealed to the Legislature at its session in December with a memorial and remonstrance, and this body, speedily taking up the business, on the 19th of December, 1795, attempted to remove the obnoxious officials by the constitutional measure of an address to the Governor, requesting him to eject them from their places. The address failed to procure the majority of two thirds that was required for such occasions, and the enterprise fell through. But the two judges had received a warning that was not without its wholesome aspects. In May, 1796, Col. Muter joined with Judge Wallace in an opinion just contrary to that which he had expressed the previous October—a change that served to quiet the titles conferred by the Land Commissioners. The chief result of the entire transaction may be perceived in the circumstance that the Court of Appeals was summarily deprived of original and final jurisdiction relating to contests for real estate in Kentucky.

After this episode the affairs of the court went forward with the utmost composure until the explosion that took place in connection with Burr's Conspiracy in the year 1806. Judge Sebastian was then accused of being in the pay of the Spanish Government, and

resigned his seat on the strength of the charge, which was afterwards discovered to be well founded by a committee of the Legislature. An attack was also made upon Judge Muter, for the reason that he was now superannuated, and he agreed to resign on condition that a pension of three hundred dollars a year should be paid him as long as he lived. The condition was conceded, but the pension was withdrawn by a subsequent Legislature. Of the Supreme Judges there now remained only Wallace and Thomas Todd, the latter having been commissioned as a fourth judge on the 19th of December, 1801.

The court was reconstructed in December, 1806, by advancing Todd to the position that had been vacated by Muter, his commission as Chief Justice dating from the 13th of December, 1806. Felix Grundy was chosen to be Second Judge in the place of Sebastian, resigned, and Ninian Edwards to be Fourth Judge in the place of Todd, promoted. In April, 1807, Judge Todd received a further promotion to a seat on the bench of the Supreme Court of the United States. Felix Grundy was made Chief Justice in his stead, Robert Trimble being appointed to the position of Second Judge rendered vacant by that change. Grundy shortly quitted Kentucky for Tennessee, and on the 5th of January, 1808, Ninian Edwards, the Fourth Judge, was commissioned as Chief Justice, William Logan, the eldest son of Gen. Benjamin Logan, and the only son-in-law of Judge Wallace, being honored with the seat which Edwards had vacated. It is suspected that there are few other instances in the history of the court where father-in-law and son-in-law were in commission at the same moment. Judge Logan, however, kept his office only from January 11 to January 30, 1808. On the 31st of January, 1808, George M. Bibb was chosen to be Fourth Judge. Bibb being promoted to be Chief Justice on the 30th of April, 1809, on the 1st of May John Boyle was made Fourth Judge. On the 20th of January, 1810, William Logan was a second time elected to a place on the bench, and this time held it till he went to occupy a seat in the United States Senate in the year 1820.

The above particulars are recorded to show the names of the gentlemen with whom Judge Wallace was on terms of official communication in the Court of Appeals. Notwithstanding the numerous changes that took place, he retained his position until the year 1813. Bibb, in his Reports, vol. 3, p. 1, says: "By a statute approved January 20, 1813, it was provided that whenever a vacancy should happen by death or resignation the court should consist thereafter of three judges only."

All of the four judges took this statute as a hint to resign (Collins, 1, 498), and only two of them, Boyle and Logan, were recommissioned. The precise date of Wallace's resignation is not obtainable. Bibb reports that it occurred in the vacation of the court, and a letter to one of his sons, dated the 18th of April, 1813, mentions the circumstance that it had already occurred.

By the facts that are recited above it will be seen that Wallace officiated as one of the judges of the Court of Appeals for a period of one and twenty years, lacking two or three months. It is believed there are few other instances in the history of the court which record such a lengthy incumbency. If there be added to these twenty-one years the period of nine years in which he officiated as one of the justices of the Supreme Court of the District of Kentucky, Judge Wallace has a record of about thirty years of continuous service in the highest legal tribunals of Kentucky.

CHAPTER X.

CLOSING DAYS.

Certain glimpses of Judge Wallace in the last years of his life may be obtained from a collection of his letters that it has recently been my fortune to recover. These letters were written to John Wallace, his fourth son and fifth child, who removed to Beaufort District, in South Carolina, where he had married an excellent lady named Sarah Morgandollar, and fixed his permanent residence. They were supplied by Miss Eliza Furman Wallace, of Lawtonville, S. C., a daughter of John Wallace. The first of the series is as follows:

"OCTOBER 1, 1811.

"*Dear John*: It gives us pleasure to be informed that you all got safe to Harrodsburg- and more especially that you so soon began to find a good effect from the water. I do not know that I can give you any material advice as to yourself. I saw Dr. Warfield on yesterday, who, as a friend, appears very anxious that you should try the effect of calomel, and I think you ought to try it. I send you a box of pills made agreeably to his directions. He advises that you should begin to use them immediately. When you find your mouth affected, wash it with Allum Water, or the Ooze of White Oak Bark with a little Allum in it. I have also sent you some powdered Colombo Root and Camomile Flowers to strengthen the stomach; or if you can get an Ox's gall, perhaps it will be better. As to the heart-burn, about ten or twelve grains of the Salt of Tartar dissolved in a spoonful of water ought to be tried.

"If it is so ordered in Providence that you do not get well before next spring, I think you and Sarah had better return and spend the summer in Kentucky. I can only commit you and Sarah to the Merciful Sovereign of the Universe.

"I am, dear son and daughter, your affectionate Father,

"CALEB WALLACE."

John Wallace had wedded Miss Morgandollar some time during the spring of the year 1811, and had come to Kentucky to introduce his wife to his father and other kindred. Here he must have experienced some of the customary effects of the climate of lower South Carolina upon his health and physical constitution. His daughter-in-law, Mrs. Elizabeth C. Wallace, of Lexington, Mo., reports that Judge Wallace "not only had a considerable knowledge of medicine, but in obedience to the constant demands of his neighbors, practiced medicine among them to a large extent; he was particularly skillful in the art of bleeding with a lancet, which was then thought to be a remedy for almost every complaint." It is easy to conclude from the above epistle that he regarded his son in the light of a patient, to whom circumstances required that he should administer remedies.

Following is the second letter of the collection:

"FRANKFORT, April 30, 1812.

"*Dear John:* I have received your letter dated the 1st of February, and another dated the 22d, in both of which you inform me of your welfare, and in the last that you have a fine daughter. Through divine goodness myself and family have enjoyed as much health as usual since you left us; but I have been attending the Court of Appeals since the first Monday in the month. About a week afterwards I received your second letter, and have waited for leisure to return you an answer; but really I have been driven beyond my strength, and feel too much fatigued to do more than write you a short letter.

"I presume that the people in your country are as much agitated by the prospect of war as we are here. But I suppose we have no public news but what you receive sooner than we do; only that the Indians have this spring committed several murders on the Wabash and Mississippi Rivers, and there is room to fear that there will be war with them also.

"It gives me and the family pleasure to find that you contemplate coming to Kentucky this summer; and we hope that Sarah will have resolution enough to come with you. If you could induce Capt. Maner to come with you, he would contribute to make the journey more easy and agreeable. Remember me respectfully to him and Mr. Brooks; and send this letter to Samuel and Ann to peruse.

"I am your affectionate Father,

"CALEB WALLACE."

Samuel McDowell Wallace, the eldest son and child of Judge Wallace, had married Anne Maner, of Beaufort District, about the year 1804, and they were residing not far from the seat of John Wallace at the date when this letter was written. The third letter in the order of time is given here:

"APRIL 18, 1813.

"*Dear Son:* I this moment received your letter of the 3d of March, and can only detain a person going to Lexington until I write a few lines to you. In your letter you mention that you intend either to remove to Kentucky or to come on a visit the first of the coming summer, and ask my advice on the subject. I can only say that I presume you may make it convenient to come on a visit, but I fear you will find it extremely inconvenient to accomplish a removal so quickly. I think it would be highly necessary to get the affairs of Sally's estate somehow settled before you remove from Carolina, else you will have to return several times on the business. I have resigned my office as a Judge, and in these war times I fear it will be very difficult to get as much money as will be indispensable to procure the cash articles necessary for my family, so that it will not be in my power to give you any assistance in the money way.

"I am most affectionately your Father,

"CALEB WALLACE."

In the autumn of the year 1813 a letter was sent, which shows that he had already received premonitions of his early decease:

"OCTOBER 2, 1813.

"*Dear Son:* From your brother Samuel we received the pleasing information that you and your family were enjoying pretty good health. Your mother, Aunt Pawling, and

myself have become very infirm, and have very little prospect of continuing long in this world; to say the least, we have frequent admonitions to prepare for a removal to a better.

"I still feel great anxiety that you should somehow fall on a plan of paying the debt with which your wife's estate is incumbered; more especially as I am sure you would enjoy more tranquility of mind. And if you should prefer living in this country, it would then become easy and proper for you to remove. In the mean time, perhaps, you ought to submit to Providence and stay where you are. Your brother Samuel seems to hope that South Carolina will suit your constitution as well as Kentucky; and if I should shortly die, I can not suppose this country would present any very strong attractions to you, and still fewer to your wife.

"As I am unwell and my mind is a good deal agitated on your brother Samuel being about to leave us, I must be excused for not writing any thing in the way of news. My wife, your Aunt Pawling, and your brothers join with me in the best wishes for you and Sally. Please remember me most respectfully to all our friends in your country.

"I am, Dear Son and Daughter, your ever affectionate Father,

"CALEB WALLACE."

The last of this series is perhaps the last letter that he ever composed. His death occurred a short while after it was written. The exact date of that event is not known, but his will was probated at the May term of the Woodford County Court for the year 1814. The letter runs as follows:

"MARCH 23, 1814.

"*Dear Son*: I have not received a letter from you for many months, nor heard from you, only your brother Samuel, in a letter last December, mentioned that you were then in health. Perhaps you may think that I have been equally negligent: my own infirmities and sickness in my family must be my apology.

"It is probable that before this letter gets to you, you will have heard of the great mortality in this country during the winter. An uncommon disorder has removed hundreds, I believe some thousands, to the other world. It is said that more than 100 grains of calomel, combined with Jalap, &c., have been given to a patient in 24 hours without effect. But the attendance of a physician could not be procured unless in such a transient way as not to be very beneficial.

"About six or eight weeks ago your brothers Henry and William and five or six of the blacks were attacked very violently, but through the goodness of God they have all recovered or are recovering. I find that I have omitted to inform you that your Aunt Pawling departed this life on the 11th day of last January, after a few days' illness.

"As I find that writing fatigues me, I can not be more particular. If I should be called off before I write to you again, you ought not to be surprised. Whilst I am spared I shall, through the divine aid, endeavor, my dear son, to make it my fervent prayer to the throne of grace, that you and your family may have the direction and blessing of God Almighty in this world, and so enable you to be prepared for a joyful eternity in the world to come.

"Pray do not neglect to write to me frequently, or to some of your brothers; for I find it to be very grateful to receive letters from those for whom my anxieties are so strong. Remember me affectionately to my daughter Sarah, and my other friends in your country.

"I am, dear John, your ever affectionate Father,

"CALEB WALLACE."

In the month of April, or shortly after the beginning of May, 1814, the scenes of mortal existence were closed for Judge Wallace, and there passed away one of the important pioneer immigrants to Kentucky. His memory deserves to be honored in that character by the people of Kentucky, and still more highly in the character of a patriotic citizen and an official of intelligence and probity. The work that he accomplished, in connection with Hanover Presbytery, in the interests of religious freedom entitles him to a worthy place in the regards of his Presbyterian fellow-Christians, and of all others who rejoice in that freedom and sympathize in the struggles that were required to obtain it. The friends of higher education must always respect him for the part that it was given him to perform in establishing Washington and Lee University and Hampden-Sidney College, the two Presbyterian seats of learning in Virginia. He was a member of the earliest Presbyterian church that was opened in the State of Kentucky, and as a co-laborer of Mitchel, Templin, and David Rice, contributed a noteworthy share toward the organization of Presbyterianism in the West.

But his most memorable work was the part he took in establishing Transylvania Seminary in the summer of 1783, and in establishing Transylvania University during the year 1798. In connection with that labor he conceived, elaborated, and persuaded the Legislature to adopt and endow the earliest system of education in Kentucky, which at that time was perhaps the best contrivance for public instruction that existed anywhere in the United States.

APPENDIX I.

GENEALOGICAL NOTICES.

Caleb Wallace was married to Rosanna Christian on the 11th of May, 1779. They had nine children, as follows:

1. Samuel McDowell Wallace, born April 16, 1780; died of cholera, July 4, 1849.
2. William Christian Wallace, born October 16, 1781; died when a boy.
3. Priscilla Christian Wallace, born March 12, 1785; died in 1839.
4. Caleb Baker Wallace, M. D., born May 22, 1787; died unmarried at Robertville, S. C., about the year 1811.
5. John Wallace, born October 13, 1789; died February 4, 1867, in South Carolina.
6. Henry Wallace, born March 24, 1792; died May 27, 1875, in Lexington, Mo.
7. William Christian Wallace (second), born April 15, 1794; died in Versailles, Ky., in 1867.
8. Charles Wallace, born September 9, 1796; died at Shelbyville, Ky., in his seventeenth year.
9. Christian Wallace, M. D., born November 21, 1800; died April, 1867, in Covington, Ky.

Rosanna Christian Wallace, the wife of Judge Caleb Wallace, died on the 4th of December, 1804. Judge Wallace afterward married his third wife, Mrs. Mary Brown, at Frankfort, Ky., who survived until she was eighty-six years of age, dying in the year 1836. They had no issue. Judge Wallace died in April or May, 1814.

Elizabeth (Woods) Wallace, the only sister of Judge Caleb Wallace, was born in Charlotte County, Virginia, in the year 1745. She married Col. Henry Pawling, and died at the house of her brother Caleb on the 11th of January, 1814. Herself, Caleb Wallace, and both of his last wives are interred in the family cemetery at the place where Wallace resided in Woodford County. It is at present owned by Col. Withrow. Col. Pawling and his wife had no issue. For a number of years before his death she lived separate from him.

Andrew Wallace, brother of Caleb Wallace, was born September 25, 1748, in Charlotte County, Virginia, and died near Stanford, Ky., on the 2d of July, 1829. He married Catherine Parks, of Prince Edward County, Virginia, who was born December 26, 1749, and died March 25, 1825. They had eight children, namely:

1. Samuel Wallace, born January 29, 1770; died in Howard County, Missouri, leaving a family behind him.
2. James Park Wallace, born July 3, 1773; died unmarried January 13, 1841.
3. Elizabeth (Woods) Wallace, born October 29, 1775; married George Ewing, and died in Monticello, Wayne County, Kentucky.
4. Mary Wallace, born September 4, 1778; married Jesse Walker, and died January 10, 1850.

5. Joseph Wallace, born January 16, 1781; married Elizabeth Smith, and died June 22, 1867.

6. Richard E. Wallace, born September 16, 1783; died unmarried October 10, 1815.

7. Caty Wallace, born May 29, 1786; married John Givens, and died October 15, 1822.

8. Caleb Baker Wallace, born October 20, 1788; removed to Northwestern Missouri, and died there, unmarried.

Catherine Parks Wallace was a connection of the Alexander family. Archibald Alexander, the grandfather of Dr. Archibald Alexander, of Princeton, married his cousin, Margaret Parks, December 31, 1734. (Foote, *Sketches of Virginia*, 2, 99.) Catherine Parks, the wife of Andrew Wallace, was related to Margaret Parks.

Samuel Wallace, the youngest brother of Judge Wallace, started to Scotland when a young man, and was never afterward heard of.

Returning now to speak of the descendants of Judge Caleb Wallace and his wife, Rosanna Wallace: their eldest son, Samuel McDowell Wallace, married Miss Anne Maner, of Beaufort District, South Carolina, about the year 1804. They had several children, of whom only two survived, namely, Caleb and Samuel Baker Wallace.

1. Caleb Wallace was born on the 22d of February, 1806, in Beaufort District, South Carolina, and died on the 27th of August, 1835. He was twice married; the first time to Miss Nichols, of Beaufort District. They had one child, Mary Frances Wallace. His second wife was Miss Anne H. Buford, of Woodford County, Kentucky. They had one son, Caleb Wallace.

2. Samuel Baker Wallace was born on the 9th of March, 1811, and married Miss Anne Mary Taylor, of Beaufort District, on the 23d of November, 1831. She died March 15, 1875. They had nine children, William, Morgandollar, Florence, Eugene, Edmund, Martin, Robert, Andrew, Emma, and Annie.

Upon the death of his first wife, about 1814, Samuel McDowell Wallace married a widow lady, Mrs. Payne, of Kentucky, who lived but a short while afterward. The third wife of Samuel McDowell Wallace was Miss Matilda A. Lee, of Woodford County, Kentucky, who was born May 26, 1797, and died September 19, 1863. They were married about the year 1817, and had nine children, Thomas Henry, John Lee, Sarah Crittenden, Andrew, William Christian, Cornelia, Priscilla, Elizabeth Lee, and Caleb McDowell.

Mary Frances Wallace, the daughter of Caleb Wallace above, by his first wife, Miss Nichols, of Beaufort, married first Dr. George Sutton, of Woodford County. They had one son, George Sutton, who died in childhood. After the death of Dr. Sutton she married the Rev. J. H. Zivley, who at that time was pastor of the Presbyterian church at Midway. They shortly removed to Texas. Issue, two sons and five daughters, as follows: Vandegraff, Amelia, Nettie, Mattie, Lena, Anna, and James. Several of these have families of their own in Texas.

Caleb Wallace, son of Caleb Wallace and Ann M. Buford, married Miss Annie Oldham, by whom he had four children, as follows: Susan, Ann, Henry, and Don. The two girls are married.

Of the children of Samuel Baker Wallace and Anne Mary Taylor, William was born September 11, 1832, and died September 11, 1840; Morgandollar was born January 1, 1841, and died in 1842.

Florence Wallace was born on the 25th of February, 1843, and married the author

of this biography on the 4th of October, 1881. They have two children, William Whitsitt, born May 27, 1883, and Mary Whitsitt, born July 1, 1886.

Edmund Martin Wallace, born July 10, 1846, married Lucy Graddy, daughter of William Henry Graddy, Esq., of Woodford County, on the 27th of June, 1876. They have had two children, namely, Anne, born August 17, 1877, and Henry Graddy, born December 22, 1884. The latter died in January, 1887.

Robert Wallace, fifth son of Samuel Baker Wallace, was married to Miss Margaret Alford, February 11, 1886. They have two children, Samuel Maner Wallace, born December 26, 1886, and Catharine Alford Wallace, born March 20, 1888.

Emma Wallace died, unmarried, October 30, 1876. Eugene is unmarried.

Annie, born January 7, 1856, was married to John B. Swope, Esq., of Woodford County, Kentucky, on the 11th of December, 1888.

Andrew Wallace, born May 27, 1853, married Miss Jane Layton, of Versailles, Ky., on the 19th of July, 1888.

Of the children of Samuel McDowell Wallace and Matilda A. Lee, the eldest son and child, Thomas Henry, who was born in 1818 or 1819, married Frances Taylor, of Beaufort District, South Carolina. They had six children, as follows: Eugenia Crittenden, Louise Taylor, John Taylor, Thomas Lee, Charles Harney, and Ella.

Louise Taylor married W. J. Lewis, Esq., of Woodlake, Franklin County, December 1, 1869. They have two children, Fannie Taylor and Bessie Henry.

John Taylor married Annie M. Davis, and left one child, Frances Taylor Wallace.

Thomas Lee Wallace married Miss Maggie Patrick, by whom he had one child, James Patrick Wallace.

Charles Harney Wallace married Miss Schaefer, of Texas, and has three children.

Eugenia Crittenden died at seventeen years of age; Ella is unmarried, and resides in Texas.

Thomas Henry Wallace, after the death of his first wife, married Miss Redd, of Woodford County, Kentucky. They have several children, and are now living in Texas.

John Lee Wallace, second son of Samuel McDowell Wallace and Matilda Lee, was born about 1821, and married Malvina Gillespie. They have several children and grandchildren, and reside at Dripping Springs, Tex.

Sarah Crittenden Wallace, born in March, 1827, is unmarried, and lives in Lexington, Ky.

Andrew Wallace, born in December, 1828, died of cholera in 1849; unmarried.

William Christian Wallace, born in 1832, married Dora Taylor, of Florida. They have several children, and reside at Gainesville, Fla.

Cornelia Wallace, born in June, 1830, married Samuel Redd, and had five children, Wallace, Matilda Lee, Samuel, William, and Sarah. They reside near Austin, Tex. Several of the children are married. Sarah is dead.

Mary Priscilla Wallace, born in January, 1834, married Charles Harney. They have no issue. After residing a number of years in New York City they recently returned to Lexington, Ky., where Mr. Harney died, April, 1888.

Elizabeth Lee Wallace, born in July, 1835, married James L. Searles. They had four children, Matilda Lee, Eleonora Lindsay, Wallace, and James Lindsay. Matilda Lee married C. Suydam Scott, Esq., of Lexington, Ky. They have no issue. Eleonora died

in childhood. Wallace Searles married Miss Hattie Rawls, of Lexington. They have one child, Elizabeth Lee. James Lindsay Searles died in childhood.

Caleb McDowell Wallace, the youngest son and child of Samuel M. Wallace and Matilda Lee, born in 1838, married Miss Emma Fowler, of New Brunswick. They reside at Ocala, in Florida, and have several children. He died in October, 1888.

Priscilla Christian, only daughter of Judge Wallace, married Judge William Logan, of the Kentucky Court of Appeals, in 1801. Judge Logan resided in Shelby County, and toward the close of his life was a member of the Senate of the United States. They had issue, as follows:

1. Ann Montgomery, born in 1802.
2. Rosanna, born in 1804, is still living.
3. Mary, born in 1809, is still living; unmarried.
4. Priscilla Christian, died early; unmarried.
5. Eliza Jane, born in 1814, is still living.
6. William Logan, died unmarried.
7. Caleb Wallace Logan, born July 15, 1819; died August 1, 1864.

Ann Montgomery Logan married Virgil McKnight, who was born in 1798 in Woodford County, Kentucky, and died in 1873. He was one of the most important financial men of his day in the State, holding the office of President of the Bank of Kentucky for more than thirty years. They had issue, as follows:

1. Elizabeth M., married Samuel M. Wing, of Owensboro. No issue.
2. William Logan, married Lucy, daughter of Martin P. Marshall, of Mason County, Kentucky, October 19, 1848. Issue, Martin, Virgil, and Mary Marshall.
3. Andrew Reed McKnight, married Miss Parks. They had two children, Mary Jane, who became the wife of Rev. I. A. Hailey, and Carrie, who is unmarried.
4. Priscilla, died early; unmarried.
5. Milton, married Mary Breckinridge, daughter of Rev. Dr. William L. Breckinridge. They had three children, Francis, Annie, and Virgil, of whom the first- and last-named are still living.

Mrs. McKnight died in 1878.

6. Mary Jane, died early; unmarried.
8. Rosa Logan, married Dr. Stanhope Breckinridge. No issue. Both are now deceased.
9. Caleb C., died early; unmarried.

Rosanna Logan, second daughter of Judge Logan and his wife Priscilla, married Charles Nourse. They had issue, as follows:

1. Wallace Logan, born November 30, 1834. He is a Presbyterian minister, and pastor of the Presbyterian church at Hopkinsville, Ky. He married first Miss Louisa Bell: they had three children, Illa, Charles, and William. His second wife was Miss Baughman: they have five children, Louisa, Carrie, Lizzie, Logan, and Virgil. Illa Nourse, eldest daughter of Rev. Wallace Logan Nourse, married Thomas Green, of Hopkinsville. They have one child, Louisa Bell.
2. Robert C., born February 25, 1837; married Miss Washington, and has five children, Charles, Luellen, Rose, Sarah, Samuel, and Annie Wilson.
3. Virgil McKnight, born August 5, 1839; unmarried.

4. Joseph William, born October 31, 1841. He is at present Superintendent of Public Schools for the State of Indiana. His wife was Miss Nettie Fee. They have two children, Robert and Myra.

5. Mary Priscilla, born October 31, 1843; married J. G. Wilson, a lawyer of Louisville, in 1867, who is now deceased. She has two children, Annie and Joseph.

Eliza Jane, fifth daughter of Judge Logan, married Charles Jordan Clarke. They had issue, as follows:

William, Anna, Matilda Wallace, Jennie, Benjamin, Rose, Charles, Mary Jane, and Cornelia.

William Logan Clarke married Miss Sarah Glasgow Helm. Their children are, Walter, Charles, Helm, Edith; Mary, and Jane.

Anna married William Breckinridge, son of Rev. Dr. William L. Breckinridge. Their children are Frances P., Cornelia, Charles, Sarah Pope, and Thomas Satterwhite. Frances P. Breckinridge married Thomas D. Waters, of New Mexico, in 1887.

Matilda Wallace died unmarried in May, 1887; Jennie, Benjamin, and Rose have never married. Benjamin resides in Memphis, Tenn.; Jennie and Rose reside in Louisville, Ky.

Charles married Miss Nannie Nicholas of Winchester. Their children are William and Sarah. The family reside at Paris, Ky.

Mary Jane married Eugene McCulloch, of Louisville. They have two daughters, Eugene Emile and Jane.

Cornelia died early; unmarried.

Caleb Wallace Logan, second son and seventh child of Judge Logan, married Agatha Madison Marshall, October 24, 1843. Their children were Agatha M., born October 11, 1844; married Louis Chrisman Marshall, December 1, 1875. No issue.

2. Annie Priscilla, born April 26, 1847; married Col. Thomas Walker Bullitt. Their children are, Agatha, Alexander Scott, James B., Keith, Mildred A., Myra, and William M.

3. Elizabeth, died early; unmarried.

4. Mary Keith, born November 2, 1851; married, August 8, 1880, Dr. David Cummins. Their only child died in infancy.

5. Myra Madison Logan, born April 18, 1849; unmarried.

The second wife of Caleb Wallace Logan was Miss Irene Smith. They had two children, Rose and Minnie.

John Wallace, fourth son and fifth child of Judge Wallace, married Sarah Morgandollar (probably a corruption of Morgenthaler; the name would be conveniently anglicized under the form of Eastvale,) in the year 1811. They had eleven children, namely, Rebecca, Elizabeth, John Christian (who was a physician, and resided in Mercer County, Kentucky), Mary Fletcher, Anna Rosanna, William Logan, Sarah Catharine, Eliza Furman, Samuel Henry, Susan Priscilla, and Frances Baker. John Wallace died in 1867; his wife Sarah in 1868.

Rebecca Wallace, eldest daughter of John Wallace, married Reuben Williams, by whom she had a number of children, only four of whom survived, namely, Sarah, Reddick, Susan Beadler, Allen, and Morgan Williams.

Dr. John Christian Wallace married Mary Tilford, of Mercer County, Kentucky, by whom he had two children, namely, Caleb and Margaret Wallace. He died in 1871.

William Logan Wallace, second son of John Wallace and Sarah Morgandollar, married Susan Nicholes. They had no issue. He died in 1865, and his wife has since died.

Anna Rosanna Wallace, fourth daughter of John Wallace, married the Rev. Isaac Nicholes, a Baptist minister. She had several children, of whom two, Sarah Buckner and Catharine Cain, survive. Both Mr. and Mrs. Nicholes are deceased.

Samuel Henry Wallace, third son of John Wallace, married a lady of South Carolina, who died some time previous to the war between the States. They had no issue. He has never married again.

None of the other children of John Wallace and Sarah Morgandollar were married. Only three of them all are now living, namely, Eliza Furman, Samuel Henry, and Frances Baker Wallace.

Henry Wallace, fifth son and sixth child of Judge Wallace, married Elizabeth Carlyle, of Woodford County, Kentucky, on the 18th of August, 1814. They had ten children, namely:

1. Rosanna Wallace, born January 14, 1816; died August 19, 1884.
2. Caleb Baker Wallace, born December 17, 1817; died June 28, 1855.
3. Priscilla Logan Wallace, born May 21, 1822.
4. Henry Crockett Wallace, born August 18, 1823.
5. George Ann Wallace, born January 22, 1825; died August 2, 1860.
6. Curtis O. Wallace, born September 15, 1826; died October 26, 1882.
7. Margaret E. Wallace, born July 8, 1828; died September 17, 1859.
8. Eudora Wallace, born December 16, 1829.
9. Mary Helen Wallace, born February 26, 1832.
10. Charles Christian Wallace, born October 10, 1835.

Rosanna Wallace, eldest daughter of Henry Wallace, married George W. Carter, of Woodford County, Kentucky, September 28, 1838. They had ten children, namely, Henry Goodloe, John Wallace, Caleb Baker, Elizabeth Wallace, Dieugueid Harris, Rose Mary, Eudora Wallace, Fidelio Sharp, Mary Bailey, and David Goodloe.

Caleb Baker Wallace, eldest son of Henry Wallace, married Magdaline Woods McDowell, May 28, 1844. They had two children, namely, Joseph McDowell and Henry Woodford.

Priscilla Logan Wallace, second daughter of Henry Wallace, married Randolph Dieugueid Harris, November 21, 1839. They had eleven children, namely, David M., Henry W. (died in infancy), Samuel W., Henry W. (the second), Edgar Christian, Curtis O., Jennie M. and Bettie W. (twins), Dieugueid R., Arthur L., and Eugene Irvin.

Henry Crockett Wallace, second son of Henry Wallace, married a great-granddaughter of Rev. David Rice, Elizabeth Sharp, June 4, 1863, by whom he has five children, namely, Henry Crockett, Fidelio Sharp Lee, Lizzie Sharp, Maxwell Sharp, and Florence Louise.

George Ann Wallace, third daughter of Henry Wallace, married Fidelio C. Sharp, June 9, 1846, by whom she had four children, namely, Rosa Belle, Dora Lee, Cornelia Wallace, and Georgia C.

Curtis O. Wallace, third son and sixth child of Henry Wallace, was never married.

Margaret E. Wallace, fourth daughter of Henry Wallace, married Dr. Paschal H. Chambers, September 24, 1845, by whom she had six children, namely, George Wallace,

Henry Wallace, Paschal H., Rev. Caleb Wallace, Bettie Wallace, and Kent Kane Chambers.

Eudora Wallace, fifth daughter of Henry Wallace, married George W. Carter, as his second wife, May 9, 1867, by whom she has one child, George W. Carter, jr.

Charles Christian Wallace, fourth son of Henry Wallace, married Elizabeth Kennedy, June 10, 1874, by whom he has four children, namely, Bessie S., Charles Christian, Lillburn K., and Elmer Carlyle Wallace.

Henry Goodloe Carter, eldest son of Rosanna Carter, married Margaret C. Brown in May, 1871, by whom he has three children, namely, Charlotte C., Henry G., and Frederic L. Carter.

John Wallace Carter, second son of Rosanna Carter, married Alice Casey in 1865, by whom he had two children, namely, Albert Casey and John Wallace Carter.

Caleb Baker Carter, third son of Rosanna Carter, married Laura Goyer in July, 1868, by whom he has eight children, namely, Charles Wesley, Caleb Baker, Goodloe Wallace and Edward Hewitt (twins), Laura May, Rosanna, Dieugueid Harris, and Sidney Lee Carter.

Elizabeth Wallace Carter, eldest daughter of Rosanna Carter, married Frederic Luty, March 23, 1871, by whom she has two children, namely, Emma and Alice Luty.

Rose Mary Carter, second daughter of Rosanna Carter, married Paul Dunlevy, October 29, 1874, by whom she had one child, namely, Mary Crenshaw Dunlevy.

Dora Wallace Carter, third daughter of Rosanna Carter, married Daniel Hogan, May 26, 1876, by whom she has four children, namely, Rose E., Daniel, Laura Blanche, and Mary D. Hogan.

Joseph M. Wallace, eldest son of Caleb Baker Wallace, married Cornelia Irvin. They have no children.

Henry Woodford, brother of the preceding, is a merchant in Louisville; unmarried.

David M. Harris, eldest son of Priscilla L. Harris, married a lady in Texas, Mrs. ———, by whom he has three children, namely, Dieugueid Roy, Olive, and Anda Harris.

Samuel M. Harris, second son of Priscilla L. Harris, married Sally McDonald, by whom he has three children, namely, Bessie, McDonald, and Juliet Harris.

Jennie Harris, daughter of Priscilla L. Harris, married Richard Beverly Vaughan in February, 1877, by whom she had one child, namely, Richard Beverly Vaughan, who died in infancy.

Bettie Harris, daughter of Priscilla L. Harris, married Dr. Lee Ewing, by whom she has five children, namely, Delma, Waldo, Dieugueid, Lee, and Robert Ewing.

Edgar Christian Harris, fourth son of Priscilla L. Harris, married Sallie Parker, by whom he has one child, Edgar Harris.

Dieugueid R. Harris, fifth son of Priscilla L. Harris, married Jennie Scott, by whom he has one child, Henry Wallace Harris.

Rosa Belle Sharp, eldest daughter of George Ann Sharp, married Robert Henry, by whom she has one child, Fidelio Sharp Henry.

Dora Lee Sharp, second daughter of George Ann Sharp, married John J. Hackney, by whom she has one child, Louise Hackney.

Cornelia Wallace Sharp, third daughter of George Ann Sharp, married Edward Hawks, by whom she had one child; died in infancy.

Georgie C. Sharp, fourth daughter of George Ann Sharp, married Henry C. Hackney, by whom she has one child, Raymond Hackney.

Paschal H. Chambers, third son of Margaret E. Chambers, married Anna Bennett, by whom he had three children, namely, Sally H., Hattie C., and Lilburn Chambers.

William Christian Wallace, sixth son of Judge Caleb Wallace, married Rachel Carlyle, February 25, 1817, by whom he had nine children, namely, Margaret Crockett, George Henry, William Logan, Charles Christian, Mary Elizabeth, John Robert, Samuel Baker, Martha Carlyle, and Rosanna Priscilla Wallace. Three of these married; the others died single.

Margaret Crockett Wallace, eldest daughter of William Christian Wallace, married John J. Reid, by whom she had eight children, namely, William Alexander, Valeria Gertrude, Margaret Elizabeth, Mary Jane, Joseph Carter, John James, Josephine Carter, and Wallace Reid.

John Robert Wallace, fourth son of William Christian Wallace, married first Mary E. Elbert, by whom he had two children, namely, Lutie Davis and Mary Elbert. As second wife, John Robert Wallace married Nannie C. Bohanon, by whom he has five children, namely, Susie Rachel, William Theodore, Rosa Christian, Charles Bohanon, and Fannie M. Wallace.

Rosanna Priscilla Wallace, fourth daughter of William Christian Wallace, married Sidney H. Robertson, May 7, 1879. They have no children.

Lutie Davis Wallace, eldest daughter of John Robert Wallace, married Turner D. Barbee, by whom she has three children, namely, Rose Edna, Susie A., and Bessie Elbert Wallace.

William Alexander Reid, eldest son of Margaret Crockett Reid, married Sally Picnell, by whom he has five children, namely, William, Jennie, Wallace, George, and Franklin Reid. They reside at Fort Laramie, Laramie County, Wyoming Territory.

Mary Jane Reid, third daughter of Margaret Crockett Reid, married Andrew J. Wooldridge, by whom she had three children, namely, Margaret Crockett, William Wallace, and Frank Kinkead Wooldridge.

Dr. Christian Wallace, eighth son of Judge Caleb Wallace, married Lucy Rice, a granddaughter of Rev. David Rice, by whom he had three children, namely, James Hervey, Ellen, and Lucy Wallace.

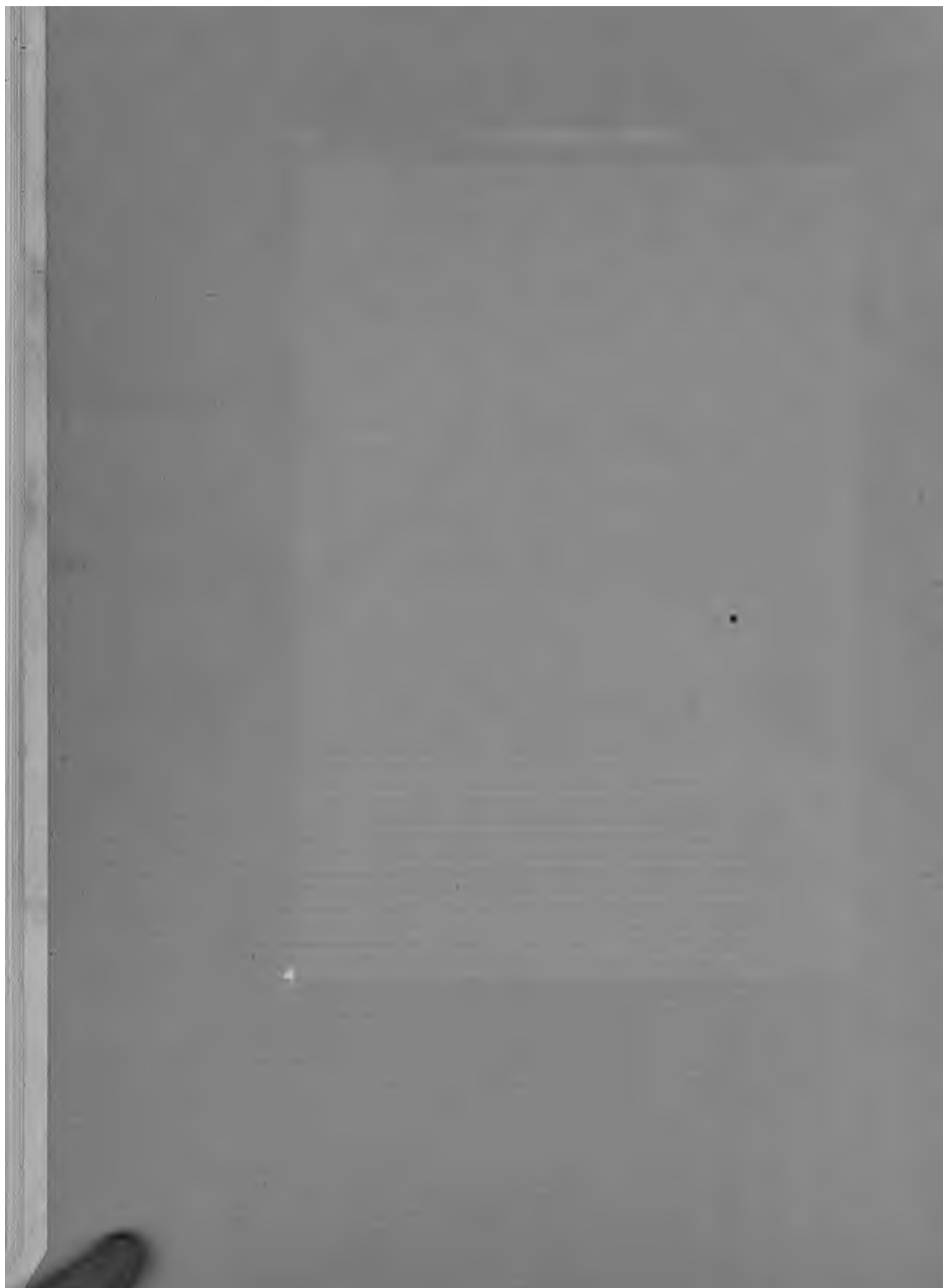
James Hervey Wallace, son of Dr. Christian Wallace, married Anna Amelia, daughter of General James Ranney, of St. Louis, Mo., in July, 1862, by whom he had two children, one of whom, a boy, died in infancy; the other, Julia Garriess Wallace, died at five years of age. James Harvey Wallace resides at Chicago; his wife died June 26, 1885.

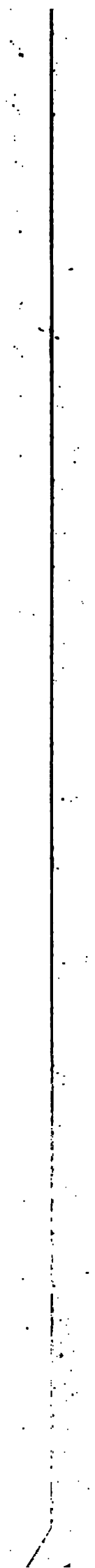
Lucy Wallace, daughter of Dr. Christian Wallace, married Dr. Newkirk, of Indianapolis, Ind.

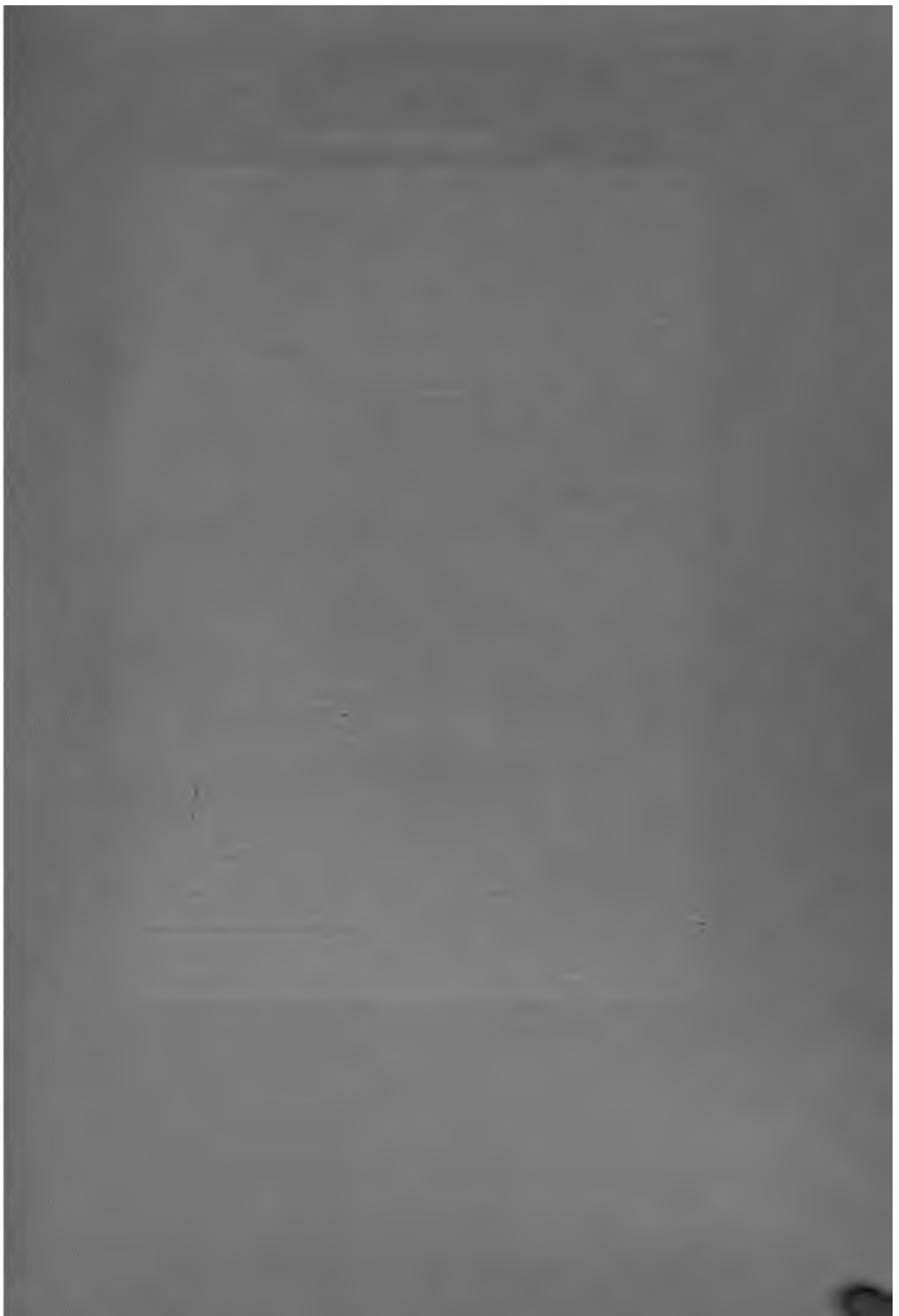
Ellen Wallace, eldest daughter of Dr. Christian Wallace, is unmarried.

Dr. Christian Wallace married, as his second wife, a Mrs. Deroncy, of Indiana. They had no issue. He died at Covington, Ky., in April, 1867.

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